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Tennessee. Laws, statutes, etc.
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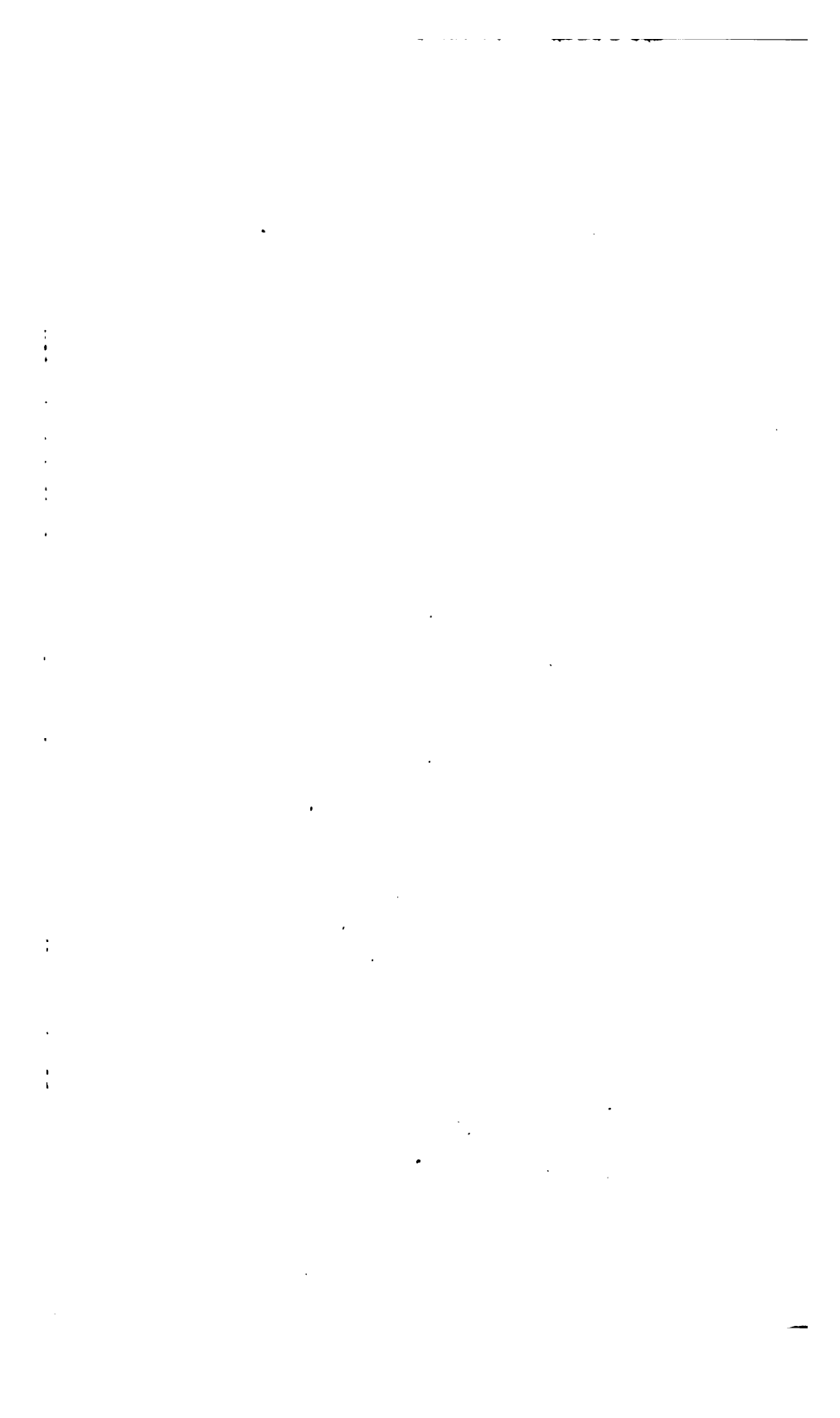
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Tennessee. Laws, statutes, etc.
Acts of the State of Tennessee.

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1865
A C T S

Don. A. G. Buckley
Sept 11. 1865
OF THE

STATE OF TENNESSEE,

PASSED AT THE FIRST SESSION OF

THE THIRTY-FOURTH GENERAL ASSEMBLY,

FOR THE YEAR 1865.

PUBLISHED BY AUTHORITY.

NASHVILLE, TENN.,

S. C. MERCER,.....PRINTER TO THE STATE.

1 8 6 5.

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INTRODUCTORY DOCUMENTS.

The following papers embrace the Commission of Hon. Andrew Johnson, as Military Governor of Tennessee, from the War Department at Washington; his instructions from President Lincoln, in accordance with the 4th Section of the 4th Article of the Federal Constitution; the call of the Executive Union Committee of the State for a State Convention to meet December 19th, 1864, at the State Capitol; and the call of the same Committee for a postponed meeting of the same Convention, to meet January 8, 1865, said postponement being rendered necessary in consequence of the siege of Nashville by the Rebel army; the Alterations and Amendments to the State Constitution, proposed to the people of Tennessee by that Convention, with the accompanying resolutions of that body; the Proclamation of Governor Johnson authorizing the opening of the polls throughout the State for the ratification or rejection of said Amendments and Alterations to the Constitution; and the final Proclamation of Governor Johnson, declaring said Amendments and alterations to be legally adopted as a part of the Constitution by formal ratification of the loyal voters of the State.

APPOINTMENT OF ANDREW JOHNSON AS MILITARY GOVERNOR OF TENN. BY THE PRESIDENT.

WAR DEPARTMENT, March 3, 1862.

To the Hon. Andrew Johnson:

SIR: You are hereby appointed Military Governor of the State of Tennessee, with authority to exercise and perform

within the limits of that State, all, and singular the powers, duties and functions, pertaining to the office of Military Governor, including the power to establish all necessary offices, tribunals, etc.

EDWIN M. STANTON,
Secretary of War.

EXECUTIVE MANSION, WASHINGTON, D. C., }
September 19, 1863. }

Hon. Andrew Johnson, Military Governor of Tennessee:

You are hereby authorized to exercise such powers, as may be necessary and proper, to enable the loyal people of Tennessee to present such a Republican form of State Government as will entitle the State to the guarantee of the United States therefor, and to be protected under such State Government, by the United States, against invasion and domestic violence. All according to the 4th Section of the 4th Article of the Constitution of the United States.

ABRAHAM LINCOLN.

The following call was published by a Committee of Union men in Middle Tennessee. Similar calls were published by Union Committees in East and West Tennessee.

TO THE UNION MEN OF MIDDLE TENNESSEE.

The Executive Committee of Middle Tennessee take this opportunity of requesting the Union men of the Middle Division of the State to appoint delegates to the Convention at Nashville, on the 19th of December. The people of East and West Tennessee will be here. It is our duty to meet them. The people meet to take such steps as wisdom may direct to restore the State of Tennessee to its once honored status in the great National Union.

The dignity of men descended from a race of freemen and heroes, the maintainance of your rights, and the interests of your children, all call upon you to act as brave and true men. Come forth in your strength to assert your rights and to organize the loyal sentiment of Tennessee.

If you cannot meet in your counties, come upon your own personal responsibility. It is the assembling of Union men

for the restoration of their own Commonwealth to life and a career of success.

LEWIS TILLMAN,
WM. SPENCE,
M. M. BRIEN,
A. V. S. LINDSLEY,
JOS. S. FOWLER,
Executive Committee Middle Tenn.

The presence of the rebel army around Nashville prevented the Convention from assembling, and the following call was made accordingly :

NASHVILLE, Dec. 19, 1864.

To the Union Men of Tennessee :

The Executive Committee of Middle Tennessee have selected the 8th of January, 1865, for the meeting of the State Convention at Nashville.

As the Anniversary of the Battle of New Orleans, the 8th day of January, occurs on Sunday, the Convention will not assemble until the 9th.

The Committees in East and West Tennessee are requested to make a similar announcement in their respective districts.

M. M. BRIEN,
WM. SPENCE,
LEWIS TILLMAN,
A. V. S. LINDSLEY,
JOS. S. FOWLER,
Ex. Com. Mid. Tenn.

Dec. 5, 1864.

The Convention met and proposed the following alterations and amendments to the State Constitution :

PROPOSED ALTERATIONS AND AMENDMENTS TO THE CONSTITUTION.

WHEREAS, The first Article and the first Section of the Declaration of Rights in the Constitution of the State of Tennessee declares, "That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; and for the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish the government in such manner as they may think proper," We, the people of the State of Tennessee, and of the United States of

America, in Convention assembled, do propound the following alterations and amendments to the Constitution, which, when ratified by the sovereign loyal people, shall be, and constitute a part of the permanent Constitution of the State of Tennessee.

PROPOSED ALTERATIONS AND AMENDMENTS.

ARTICLE I.

SECTION 1. That slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are herereby forever abolished and prohibited throughout the State.

SEC. 2. The Legislature shall make no law recognizing the right of property in man.

SCHEDULE.

SECTION 1. Section 31 of the second Article of the Constitution, which is as follows, "The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of their owner or owners," is hereby abrogated.

SEC. 2. "The Declaration of Independence and Ordinance dissolving the Federal relations between the State of Tennessee and the United States of America," passed and promulgated by the Legislature of Tennessee on the 6th day of May, 1861, by which the State was declared separated from the Federal Union, and all laws and ordinances by which Tennessee became a member of the Federal Union, annulled and abrogated, was in like manner an act of treason and usurpation, unconstitutional, null and void.

SEC. 3. The Convention, Agreement and Military League, entered into by the Commissioners of the State of Tennessee and the Commissioners of the so-called Confederate States of America, made May 7, 1861, and on the same day ratified and confirmed by the Legislature, was an act of treason and usurpation, unconstitutional, null and void.

SEC. 4. No statute of limitations shall be held to operate from and after the 6th day of May, 1861, until such time hereafter as the Legislature may prescribe, nor shall any writ of error be refused, or abated in any cause, or suit decided since the 6th day of May, 1861, and prior to this time, by reason of any lapse of time. And in all actions for torts brought, or which may hereafter be brought in the courts in this State by attachment levied upon the property of the defendant, the court shall have power to proceed to judgment and collection of the same, as upon contracts, without personal service of

process upon the defendant, until the Legislature may see fit to change the law in such cases.

SEC. 5. All laws, ordinances, and resolutions, as well as all acts done in pursuance thereof, under the authority of the usurped State government after the declared independence of the State of Tennessee, on or after the 6th day of May, 1861, were unconstitutional, null and void from the beginning: *Provided*, That this section shall not be construed as to affect any judicial decisions made by the State Courts held at times differing from those provided by law prior to May 6th, 1861; said judicial decisions being made pursuant to the laws of the State of Tennessee enacted previous to said date, and between parties present in Court and litigating their rights.

SEC. 6. All laws, ordinances, and resolutions of the usurped State government, passed on or after the 6th day of May, 1861, providing for the issuance of State bonds, also all notes of the Bank of Tennessee, or any of its branches, issued on or after the 6th day of May, 1861, and all debts created or contracted in the name of the State by said authority, are unconstitutional, null and void; and no Legislature shall hereafter have power to pass any act authorizing the payment of said bonds or debts, or providing for the redemption of said notes.

SEC. 7. All civil and military officers which have been or may hereafter be appointed by the acting Governor of the State, are hereby ratified and affirmed, and they shall continue to hold and exercise the functions of their respective offices until their successors shall be elected or appointed, and qualified as prescribed by the laws and Constitution of the State and United States.

SEC. 8. That the proposed amendments to the Constitution, and the schedule thereto, be submitted to the people at the ballot-box, on the 22d day of February next, and that upon the adoption thereof, by the people, an election shall be held on the 4th day of March next, for Governor and members of the Legislature, the latter to be voted for by general ticket, upon the basis prescribed in the act apportioning representation in the State, passed on the 19th day of February, 1852, to assemble at the Capitol on the 1st Monday in April next, said officers to continue in office until their successors shall be elected and qualified, under the regular biennial election of 1867.

Provided, That said apportionment be so modified as to give to the counties of Johnson, Carter, Campbell, Anderson, Union, Sevier, Macon, and Hancock, each one member, and the district composed of the counties of Fentress, Morgan, Scott, and Cumberland, one additional member in the House of Representatives.

SEC. 9. The qualifications of voters and the limitation of the

elective franchise, may be determined by the General Assembly, which shall first assemble under the amended Constitution.

RESOLUTIONS.

Resolved, That at the election in February, those in favor of the foregoing amendments and schedule, shall deposit a ballot on which shall be written "Ratification," and those who are opposed shall deposit a ballot, on which shall be written "Rejection."

Resolved, That when the above amendments of the Constitution of the State of Tennessee shall be submitted to the people of the State for their ratification or rejection, and at the first election held under said Constitution as amended, if ratified by the people, no person shall be permitted to vote unless he first take the following oath at the polls; and the name of each voter shall be written upon the back of his ticket, and it shall be the duty of the judges and clerks of said election to preserve said tickets and file them with the clerks of the County Courts of their respective Counties for future reference. *Provided*, that this oath shall not be required of the citizens who are well known to the judges of the election to have been unconditional Union men. *Provided*, also, that voters otherwise qualified may vote within any county of the State, and if in the military service, wherever they may be on the day of election; and that the commanding officer of each regiment, battalion, detachment, battery, or hospital, is empowered to hold such elections.

OATH.

I solemnly swear that I will henceforth support the Constitution of the United States, and defend it against the assaults of all its enemies; that I am an active friend of the Government of the United States, and the enemy of the so-called Confederate States; that I ardently desire the suppression of the present rebellion against the Government of the United States; that I sincerely rejoice in the triumph of the armies and navies of the United States, and in the defeat and overthrow of the armies, navies, and of all armed combinations in the so-called Confederate States; that I will cordially oppose all armistices or negotiations for peace with Rebels in arms, until the Constitution of the United States, and all laws and proclamations made in pursuance thereof, shall be established over all the people of every State and Territory embraced within the National Union; and that I will heartily aid and assist the loyal people in whatever measures may be adopted for the attain-

ment of those ends; and further, that I take this oath freely and voluntarily and without mental reservation. So help me God.

Resolved, That the returns of this election shall be made to the Secretary of State, and the result be declared by the proclamation of the acting Governor.

Resolved, That the Convention do nominate and offer to the people a candidate for Governor, and that the delegates from the several Senatorial and Representative districts be requested to nominate and present to the Convention candidates for their respective districts, to be placed upon the general Legislative ticket. *Provided*, If the Union people of any district shall desire to make another selection, that they have opportunity to do so.

Resolved, That it shall be the duty of the Executive Committee to fill all vacancies that may occur in the list of candidates and officers for holding elections solicited by the Convention.

Resolved, That the names of such as may be selected shall be forwarded to the Chairman at Nashville, on or before the 10th day of February next, when the Chairman shall publish the complete list in the papers of the State.

GOVERNOR'S PROCLAMATION.

WHEREAS, At a large and respectable Convention of the free and loyal people of the State of Tennessee, begun and held in the city of Nashville, on the 9th day of January, 1865, certain articles amendatory of the Constitution of the State, and the Schedule thereto appended, were, with great unanimity, adopted and propounded to the people for ratification or rejection, on the 22d of February, 1865; and

WHEREAS, The Schedule provides, that in the event of the ratification of said proposed Constitutional amendments, the loyal people of the State shall, on the 4th of March next thereafter, proceed by "general ticket," to elect a Governor and members to the General Assembly, to meet in the Capitol in Nashville, for the transaction of public business, on the first Monday of April, 1865; and

WHEREAS, The Convention aforesaid, acting in the primary and sovereign capacity of the people, prescribed certain rules and regulations under which the elections should be conducted, and designated, in many of the counties, certain persons to open and hold the same, and in others, omitted to name any one, which, to avoid confusion, I have, as far as practicable,

caused to be supplied. And in addition thereto, and for the purpose of more effectually carrying out the objects of the Convention, and enabling the sovereign loyal people of the State to express their judgment freely and fully on the grave question submitted to their decision; therefore,

I, ANDREW JOHNSON, Military Governor of the State of Tennessee, by virtue of the power and authority in me vested, do hereby declare that the several persons in the proceedings of the Convention named and appointed, to open and hold the elections therein provided for, are hereby empowered and directed to open and hold said elections in person, in their respective counties, wherever practicable, and to appoint and qualify, if necessary, such judges and inspectors of elections, and other officers, as may be necessary to open the polls, and conduct the elections in such other parts of their respective counties as the convenience of the people may require; and to make returns to the Secretary of the State, as provided by the Third Resolution of the Convention, as nearly as practicable in conformity to the Act of Assembly, in such cases made and provided.

And I do hereby further declare, and fully authorize and direct the Executive Committee appointed in each grand division of the State, and referred to in the Fourth and Fifth Resolutions of the proceedings of said Convention, to supply, whenever practicable, the places of all such persons as, for any cause, may become vacant, in the list of persons hereinbefore qualified to hold said elections; and in such cases, when it is not convenient or practicable for vacancies to be filled as above provided, any loyal citizen of the county is hereby authorized and empowered to open and hold said elections, and make returns thereof, which shall be as valid as if done by any of the persons hereinbefore mentioned.

I do furthermore authorize and empower the commanding officer of each regiment, battallion, detachment, battery, or hospital of Tennessee troops, wherever they may be on the day of said elections, to open and hold elections for their respective commands or hospitals, and make due return thereof, under the same rules and regulations above prescribed.

Here I might well close this proclamation, but I will be pardoned for adding, that the action of the Convention is wisely submitted to the loyal people—the true source of all political power—for approval; and I feel assured, as they appreciate the restoration of good government, and the protection of their lives and property, they will not hesitate to come forward, as one man, and with one voice, ratify and confirm the action of the convention. We have been, in Tennessee, torn asunder by civil war, and all our public and private interests broken down,

and the folly of the rebellion has surely been sufficiently demonstrated to admonish all classes that they can no longer live in hostility to the National Government, and ought no longer to remain without civil authority in the State. Strike down at one blow, the institution of slavery—remove the disturbing element from your midst, and, by united action, restore the State to its ancient moorings again, and you may confidently expect the speedy return of peace, happiness and prosperity.

IN TESTIMONY WHEREOF, I, ANDREW JOHNSON, Military Governor of Tennessee, do hereunto set my hand, and
 { SEAL } cause the great seal of the State to be affixed at the Executive office, in the City of Nashville, on this, the 26th day of January, 1865. ANDREW JOHNSON.

OFFICIAL DECLARATION OF THE RATIFICATION OF THE AMENDMENTS TO THE CONSTITUTION—GOV- ERNOR'S PROCLAMATION.

WHEREAS, The Convention that recently assembled in the city of Nashville, proposed certain alterations and amendments to the Constitution of the State of Tennessee, and the Schedule thereto appended, which, by the direction of the Convention, were submitted to the people at the ballot-box, on the 22d inst., and by them ratified and confirmed; and,

WHEREAS, The Convention further provided, that in the event of the adoption of "the amendments to the Constitution, and the Schedule thereto," an election for Governor and members of the Legislature, should be held on the 4th of March next following, to assemble at the Capitol in Nashville, on the first Monday in April next thereafter; and,

WHEREAS, The returns of the election for the ratification or rejection of the proposed amendments of the Constitution, were, by the 3d resolution adopted by the Convention, to be made to the Secretary of State, and the result declared by proclamation of the acting Governor; and,

WHEREAS, Complete returns have not yet been made as provided by the foregoing resolution; but enough is already ascertained to place the result of the election beyond all doubt, and fully to justify the announcement that the following articles amendatory of the Constitution of the State, and Schedule thereto appended, have been adopted by the people, viz:

ARTICLE I.

SECTION 1. Slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are hereby forever abolished and prohibited throughout the State.

SEC. 2. The Legislature shall make no law recognizing the right of property in man.

SCHEDULE.

SECTION 1. Section 31, of the second Article of the Constitution, which is as follows: "The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of their owner or owners," is hereby abrogated.

SEC. 2. "The Declaration of Independence and Ordinance dissolving the Federal relations between the State of Tennessee and the United States of America," passed and promulgated by the Legislature of Tennessee on the 6th day of May, 1861, by which the State was declared separated from the Federal Union, and all laws and ordinances by which Tennessee became a member of the Federal Union, annulled and abrogated, was in like manner an act of treason and usurpation, unconstitutional, null and void.

SEC. 3. The Convention, Agreement and Military League, entered into by the Commissioners of the State of Tennessee, and the Commissioner of the so-called Confederate States of America, made May 7, 1861, and on the same day ratified and confirmed by the Legislature, was an act of treason and usurpation, unconstitutional, null and void.

SEC. 4. No statute of limitations shall be held to operate from and after the 6th day of May, 1861, until such time hereafter as the Legislature may prescribe, nor shall any writ of error be refused or abate in any cause, or suit decided since the 6th day of May, 1861, and prior to this time, by reason of any lapse of time. And in all actions for torts brought, or which may hereafter be brought in the courts of this State by attachment levied upon the property of the defendant, the courts shall have power to proceed to judgment and collection of the same, as upon contracts, without personal service of process upon the defendant, until the Legislature may see fit to change the law in such cases.

SEC. 5. All laws, ordinances, and resolutions, as well as all acts done in pursuance thereof, under the authority of the usurped State government after the declared independence of the State of Tennessee, on or after the 6th day of May, 1861, were unconstitutional, null and void from the beginning: *Pro-*

vided, That this section shall not be construed as to affect any judicial decisions made by the State Courts, held at times differing from those provided by law, prior to May 6th, 1861; said judicial decisions being made pursuant to the laws of the State of Tennessee enacted previous to said date, and between parties present in Court and litigating their rights.

SEC. 6. All laws, ordinances and resolutions of the usurped State government, passed on or after the 6th day of May, 1861, providing for the issuance of State bonds, also all notes of the Bank of Tennessee, or any of its branches, issued on or after the 6th day of May, 1861, and all debts created or contracted in the name of the State by said authority, are unconstitutional, null and void; and no Legislature shall hereafter have power to pass any act authorizing the payment of said bonds or debts, or providing for the redemption of said notes.

SEC. 7. All civil and military officers who have been or may hereafter be appointed by the acting Governor of the State, are hereby ratified and affirmed, and they shall continue to hold and exercise the functions of their respective offices until their successors shall be elected or appointed, and qualified as prescribed by the laws and Constitution of the State and United States.

SEC. 8. The proffered amendments to the Constitution, and the schedule thereto, shall be submitted to the people at the ballot-box, on the 22d day of February next, and upon the adoption thereof, by the people, an election shall be held on the 4th day of March next, for Governor and members of the Legislature, the latter to be voted for by general ticket, upon the basis prescribed in the act apportioning representation in the State, passed on the 19th day of February, 1852, to assemble at the Capitol on the 1st Monday in April next, said officers to continue in office until their successors shall be elected and qualified, under the regular biennial election of 1867; *Provided*, That said apportionment be so modified as to give to the counties of Johnson, Carter, Campbell, Anderson, Union, Sevier, Macon, and Hancock, each one member, and the district composed of the counties of Fentress, Morgan, Scott, and Cumberland, one additional member in the House of Representatives.

SEC. 9. The qualification of voters and the limitation of the elective franchise may be determined by the General Assembly, which shall first assemble under the amended Constitution.

AND WHEREAS, The time at which it is provided the election for Governor and members of the General Assembly shall be held, is so near at hand, that I deemed it proper in advance of full returns, to declare the result of the election adopting the Constitutional Amendments: Therefore,

I, ANDREW JOHNSON, Military and Acting Governor of the

State of Tennessee, by virtue of the power and authority in me vested, do hereby declare, that the foregoing alterations and amendments to the Constitution of the State of Tennessee, and the Schedule thereto annexed, have been ratified and confirmed by the vote of the people of the State; and that said articles now constitute a part of the permanent Constitution and supreme law of the State of Tennessee, and as such are hereafter to be so held and regarded by the people thereof.

And I do hereby further declare and fully authorize and direct, the several persons in the proceedings of the late Convention named and appointed to open and hold the election for the ratification or rejection of the amendments to the Constitution, to open and hold an election for Governor and members to the General Assembly, as in the Schedule prescribed, on the 4th of March next; and they are hereby empowered and directed to open and hold said election in person, in their respective counties, wherever practicable, and to appoint and qualify, if necessary, such judges and inspectors of election, and other officers, as may be necessary to open the polls and conduct the election in such other parts of their respective counties, as the convenience of the people may require; and to make returns to the Secretary of State as provided by the 3d resolution of the Convention, as nearly as practicable in conformity to the Act of Assembly in such cases made and provided.


And I do hereby further declare, and fully authorize and direct the Executive Committee, appointed in each Grand Division of the State, and referred to in the 5th resolution of the proceedings of said Convention, to supply, whenever practicable, the places of all such persons as may for any cause become vacant in the list of persons hereinbefore declared qualified to hold said election; and in such cases, when it is not convenient or practicable for vacancies to be filled as above provided, any loyal citizen of the county is hereby authorized and empowered to open and hold said election, and make returns thereof, which shall be as valid as if done by any of the persons hereinbefore mentioned.

I do further authorize and empower the commanding officer of each Regiment, Battalion, Detachment, Battery, or Hospital of Tennessee troops wherever they may be on the day of election, to open and hold an election for their respective commands, or Hospitals, and make due return thereof under the same rules and regulations above prescribed.

In closing this proclamation, I sincerely congratulate the people of Tennessee on the happy result of the election, and the opening prospects of a speedy and permanent reorganization of the State Government. For nearly three years, in the midst of dangers and difficulties the most complicated

and perplexing, I have labored to restore the State to its former proud position in the Union. My constant effort has been to save it—not to destroy it; but the rebellious sentiments of the people often interposed obstacles which had to be overcome by military power. The task was painful, but the duty has been performed, and the result has passed into history. Time, I am happy to say, has greatly calmed the passions of the people, and experience restored them to reason. The folly of destroying their government, and sacrificing their sons to gratify the mad ambition of political leaders, needs no longer to be told to the laboring masses. The wasted estates—ruined and dilapidated farms—vacant seats around the hearthstone—prostrate business—insecurity of property, and even life itself, everywhere proclaim it in language not to be misunderstood.

But all is not lost. A new era dawns upon the people of Tennessee. They enter upon a career guided by reason, law, order, and reverence. The reign of brute-force and personal violence has passed away forever. By their own solemn act, at the ballot-box, the shackles have been formally stricken from the limbs of more than 275,000 slaves in the State. The unjust distinctions in society, fostered by an arrogant aristocracy, based upon human bondage, have been overthrown; and our whole social system reconstructed on the basis of honest industry and personal worth. Labor shall now receive its merited reward, and honesty, energy, and enterprise their just appreciation. Capital heretofore timid and distrustful of success may now confidently seek remunerative and permanent investments in the State. Public Schools and Colleges begin anew their work of instruction, upon a broader and more enduring basis. The foundations of society, under the change in the Constitution, are in harmony with the principles of free government and the National Union; and if the people are true to themselves—true to the State—and loyal to the Federal Government, they will rapidly overcome the calamities of the war, and raise the State to a power and grandeur not heretofore even anticipated. Many of its vast resources lie undiscovered, and it requires intelligent enterprise and free labor alone, to develop them, and clothe the State with a richness and beauty surpassed by none of her sisters.

In testimony whereof, I, ANDREW JOHNSON, Military
 and Acting Governor of Tennessee, do hereunto set
 my hand and cause the great seal of the State to be
 affixed, at the Executive Office, in Nashville, on this 25th day
 of February, A. D., 1865. ANDREW JOHNSON.



GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT,

Nashville, April 6, 1865.

Gentlemen of the Senate,

and House of Representatives :

In accordance with long established custom, and in obedience to the requirements of the Constitution, it becomes my duty to communicate to the Legislature the condition of the State, and to recommend for their consideration such matters as I may deem expedient.

When we contemplate the distracted condition of the country, the four dreadful years of trial through which we have passed, and the manner in which it has been preserved, our minds naturally turn to Him whose care has been over us, who has protected and preserved us through scenes of blood and carnage, unprecedented in the history of wars. For the preservation of our lives and certain remnants of our property; for the care and protection of Providence over those who have gone forth to battle, and are still risking their lives in defense of the principles upon which our happiness and property rest; for life, health, food and raiment; for our safe conduct through untold changes, by a kind Providence; for the prospect of the restoration of law and order in our distracted State; for the gleam of light, looking to peace, now breaking through the clouds that have enveloped us for the four years past; for these and numerous other blessings of which we have been the recipients, let us, in all humility and sincerity, render thanks to Almighty God, and let us earnestly implore a continuance of his favor.

Secession is an abomination that I cannot too strongly condemn, and one that you cannot legislate against with too much severity.—What has it done for our country in the space of four years? It has plunged our country into civil war, paralyzed our commerce, destroyed our agricultural pursuits, suspended the whole trade and business of our country, lessened the value of our property, de-

stroyed many of the pursuits of life, and has involved the South in irretrievable bankruptcy and ruin.

What has it done for Tennessee? It has formed odious and unconstitutional military leagues, passed military bills, and inaugurated a system of oppressive taxation, without consulting the people, and then, in mockery of a free election, has required them by their votes to sanction its usurpation, at the point of the bayonet under the penalty of imprisonment and death. It has offered a premium for crime, in ordering the discharge of culprits from prison, on condition that they would enter the rebel army, and in recommending the Judges to hold no courts for the trial of offenders. It has stained our statute book with the repudiation of honest Northern debts, and has palpably violated the Constitution, by attempting through its unlawful extensions, to do away with the right of suffrage. It has passed laws making it treason to say or do anything in favor of the Government of the United States, or against the so-called Confederate States. It has prostrated and overthrown the freedom of speech and of the press; it has involved the whole South in a war whose success is now proven to be utterly hopeless, and which, ere another year roll round, must lead to the ruin of the common people. Its bigoted, murderous and intolerant spirit has subjected the people of Tennessee to many grievances. Our people have been arrested and imprisoned; our houses have been rudely entered and shamefully pillaged; our families have been subjected to insults; our women and children have been tied up and scourged, or shot by a ruffian soldiery; our towns have been pillaged; our citizens have been robbed of their horses, mules, grain and meat, and many of them assassinated and murdered.

Hundreds, yes, thousands of our young men, middle-aged and old men, have been driven from our State, and compelled to enter the Federal army, in strange regiments, and their bones now lie bleaching upon the many battle-fields of the South and West, and all this because our people were true to the traditions of their fathers, and refused to worship rebel gods. And to the honor of the people be it known, that more regiments to-day swell the number of the armies of the Union than there are living traitors in the ranks of the enemy.

In this once proud capital of the "Volunteer State," there have been thousands of Union refugees, men, women and children, broken-hearted, naked and starving; a great many are here still. They have fled from the wicked and murderous guerrillas, after being robbed of everything they possessed. They have lived in camps or tents, by fires in the open woods, have dragged out a miserable existence for a time, and died among strangers. Hundreds have suffered from actual want of necessary food, shelter and clothing, while many residences in this *rebellious city* have been occupied by the families of those who were fighting against their country, or, being *citizen rebels* and *home traitors*, have fled within the rebel lines. These families

have remained here protected, and have wielded an over-ruling social influence. Many of them are wealthy, and live in ease and comfort. They have busied themselves in giving information to the enemy, in carrying delicacies to rebel prisoners who have been confined here for their crimes and treason. And it is stated upon undoubted authority, and the fact is notorious in this capital, that the disloyal families never contributed in the slightest degree to the relief of the poor and distressed women and children, or disabled soldiers thrown upon this population by the operations of the war. I state these facts, which may have the appearance of a personal and local character, that you may know how to shape your course when personal and local legislation is called for.

I have the honor to submit to the General Assembly of the State of Tennessee, a copy of a joint resolution of Congress, passed by a vote of two-thirds of each house, entitled "A resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States," which is in the following words:

"Resolved, by the Senate and House of Representatives of the United States, in Congress assembled (two-thirds of both houses concurring therein), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which when ratified by the Legislatures of three-fourths of said States, shall be valid to all intents and purposes, as a part of said Constitution, namely:

"ARTICLE XIII.

"Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

"Approved, February 1, 1853."

The slavery question here comes up in a form hitherto not discussed in our politics. It is not a question as to the right of Congress to exclude slavery from the Territories, to legislate upon the matter themselves, nor does it involve the discussion of any doubtful powers, but is the simple proposition to amend the Constitution of the United States in the manner prescribed by that sacred instrument, so as to strike down the monster institution which has embroiled the Government for half a century, and culminated in the most wicked, uncalled for and bloody war known to the history of the civilized world.

Slavery, secured to the people of the South more permanently by the Constitution of the United States, and the laws enacted in pursuance thereof, than any species of property claimed by them—not even excepting their lands—will now perish by the war it brought about to enlarge its power and perpetuate its existence. Let us do our part in this great work by ratifying the action of Congress, and

carrying out the wishes of our people. After the ratification by the people of our State of our Amended State Constitution, embracing the same proposition, and after your election to the General Assembly on this platform, and by the same people, I have not considered an elaborate argument in favor of the proposition submitted by Congress at all necessary. I may be allowed to say, however, that to prohibit slavery in a State requires a change in the State Constitution. Pregnant as we find slavery to be of all sorts of political mischief, it is not to be got rid of, under the Constitution, in any other than a constitutional manner. And, while the sooner this can be done the better, it does not appear in what part of the Constitution of the United States the power of regulating it at all, in times of peace, is to be found. Fortunately for the future happiness of the country, the Constitution has provided a way in which the people can remedy the evil, without any questionable exercise of power, and that is by amending the Constitution, just as Congress has proposed.

Slavery was so far made the subject of constitutional cognizance, by the people of the United States, when they adopted the Articles of Confederation, that it found a place in the compromises of that instrument, both in fixing the ratio of representation and the apportionment of direct taxes; and also in requiring the people of a free State to surrender so much of this "sovereignty" as not to have the right to protect the slave that sought refuge from bondage—it would seem too late in the day to question the right of the people to adopt amendments to that instrument, in regard to this or other subjects embraced in its provisions. It becomes us, therefore, to approach this subject with an enlightened statesmanship, and with a degree of moral courage that is not afraid to do right, appealing to the ultimate judgment of mankind to vindicate our action.

It is in this way, and in no other, that a uniform rule can be provided, and an end put thereby, in all time to come, to a possibility of reviving that which has been the fatal cause of all the mischief in the country. To insist upon excluding slavery from a State by amending her Constitution, before recognizing her again as within the pale of the Union, would look awkward, and fall below the dignity of political sagacity. Our State has shown her hand, and placed herself square upon the record; and I flatter myself that her representatives here assembled are ready for a measure which shall forever exclude slavery from the United States.

Some legislation is necessary for the protection, government and control of the emancipated slaves among us. When this war is over a portion of those who fought to perpetuate slavery will show the emancipated slave no quarter, and especially that class of slaves who have been rude and violent toward their former owners. What the character of this legislation should be, I leave the good-sense, prudence and reflection of the members of the General Assembly to determine.

It is certainly proper and right for the Legislature of Tennessee to determine to what extent this State shall be overrun with the emancipated slaves of other States. If their presence in any State is a blessing they should be distributed: if an evil, it is but just that we should be taxed only with our own share of them. I am, myself, the advocate of providing for them a separate and appropriate amount of territory, and settle them down permanently, as a nation of freedmen. In this case, as in most others, it will probably be well to guard against exceptive legislation. The negro has had no agency himself in bringing on our troubles, and does not merit unkind treatment at our hands.

The attention of the Legislature is earnestly called to the subject of the roving bands of guerrillas, and squads of robbers and murderers who frequent those counties and portions of counties remote from our military forces. The depredations and murders committed by them are of such frequent occurrence as to have created a general feeling of insecurity among our citizens, causing hundreds to sacrifice their property and abandon their homes and the graves of their parents and loved ones, seeking new homes, among strangers in the Northwestern States.

The criminal laws of Tennessee prior to the rebellion were equal to the demands of justice and the wants of society, but they are now inadequate in both these cases. The corruptions of the rebellion have exhibited themselves in every quarter, and the effects of the same have been to demoralize all classes of society, more or less, calling for more stringent enactments, so as to meet the numerous cases arising in our country. I advise that horse-stealing, house-breaking and highway robberies be punished with death. Let the proof in all such cases be clear and unquestionable, and then let the offenders be hung, even for the first offense. This character of a law will close out all these acts of perfidy which now render life and property insecure, more or less in all counties of the State; and when the necessary reform is had, a future Legislature can repeal or amend the statute. Such a law may look to others like a bloody act, but it can never affect injuriously an honest man or a law-abiding citizen. And you, gentlemen, should feel no concern for the opposite class of men but to punish and reform them.

The attention of the Legislature is especially directed to the militia laws of the State. The occurrences of the past four years have disclosed the fact that our militia laws, as they now are, are very imperfect, and need further amendments to make them effective. The State arms were carried into the rebellion, through the influence of the bad men in authority four years ago, and throughout the length and breadth of the State she has not arms enough to arm a captain's company. This deficiency should be provided for at once. I have no doubt that the Federal Government, upon a fair presentation of the case, would come to our relief with a liberal hand.

If, in the wisdom of the Legislature, an efficient military force,

over and above what is provided for in general terms, should be placed at the disposal of the Executive, I suggest an appropriation for military contingent expenses. In any rate, the Legislature would do well to pass an act providing for a Military Contingent Fund, of a moderate character, confiding it under the control of the Executive, and making it his duty to report to the Legislature at each session. Should there be no use for the fund, the Executive will, of course, make no drafts upon it, and it will be his pleasure to report that the money belonging to the Military Contingent Fund remains in the State Treasury unexpended.

I am aware that a proposition to increase the salaries of public officers in the State will meet with opposition—that it is not a popular measure, and that demagogues will use such a vote upon the stump against members voting for an increase. Acting alone from a sense of duty, and desiring to see justice done to those patriotic men who are serving the State, I suggest an increase in the pay of all civil officers whose compensation is fixed by law. Supreme Judges should be paid a salary of \$5,000; Chancellors and Circuit Judges should be allowed \$3,000, and the Treasurer, Comptroller, Secretary of State, Attorney General and other officers should be allowed a corresponding increase in their salaries. And I respectfully, but frankly suggest, that the pay of members of the General Assembly be increased, and the more so as such increase could not take effect during your term of office.

It is folly to think of a man in public office now supporting his family on the salary he received four and five years ago. Boarding, clothing, meats, vegetables—in fact, everything has increased to twice former prices. And yet the wages of the public officers are down at the old prices. If any one of the incumbents named is worthy of his office he is worthy of a support from that office. His pay should be made equal to his necessary expenses. The State cannot reasonably expect a man to devote his individual time and his whole energies and talents to an office, when the salary of such office will not defray the necessary expenses of his family. Gentlemen capable of filling such offices are capable of supporting themselves in other vocations; and it is obvious that they will be forced to turn their attention to other pursuits in order to gain a livelihood. The increase of such salaries will add something to our taxes, but the amount will be so small as scarcely to be felt by the people. I doubt not they will cheerfully contribute in this way to aid in sustaining good and competent men in important official positions. I recommend, therefore that immediate action be taken in this matter.

The financial condition of the State demands the early and prompt attention of this General Assembly. The reports of the Comptroller and Treasurer are to the 1st of October, 1861. From that time to the restoration of the capital to the National authority, February following, and the flight of the State authorities, the information left us is imperfect and insufficient. The subsequent operations will

appear from the current report of the Comptroller, whose high character for integrity and truth commend him to your confidence. The balance in the Treasury on the 1st of October, 1861, according to the Treasurer's Report, was \$185,496 69. Besides, warrants for payment remain in the Treasury for \$60,401 04. Warrants for payment out of the Treasury had been issued but not presented for \$145,417 12. How far the figures were modified by the operations of the next four months and a half, to the middle of February, 1862, I have no information. Except the military expenses, it is presumed that the balance was not changed, judging from the uniformity apparent in the fiscal operations of the preceding four years. Since that time Middle and West Tennessee have been generally within the Federal lines, and East Tennessee since the first of September, 1863. Governor Johnson has occupied the Capitol, and exercised gubernatorial jurisdiction over those portions of the State held by Federal authority. Governor Harris, who adhered to the rebel cause, is very generally understood to have collected revenue in the counties within their military lines. The Comptroller will be found to have given in his report the financial history of Governor Johnson's administration. This report is respectfully submitted for your careful consideration, and the recommendations of that officer are approved by me. What monies were collected by Governor Harris and his subordinates, I am unable to state, nor am I prepared to say that it is important for you to inquire. It will be a matter for your consideration whether the arrearage of taxes for the past four years shall be collected in whole or in part. The principal, if not the current liabilities during that period, are the interest on the State debt. The usual payments to common schools and academies, and to several charitable institutions of the State, were not made. The consequences of the failure would not be atoned for by reaching them now. The same is substantially true of various other items of ordinary expenditures.

The State Debt, as reported by the Comptroller, in October, 1861, is said to be \$6,896,606 66, and this demands your attention.— This includes 3,000,000 of eight per cent. bonds for the "defence of the State," which has recently been discarded by the people at the ballot-box. This unauthorized and most unjust indebtedness, repudiated, leaves the indebtedness of the State properly, \$3,896,606 06, at an annual interest of \$212,388 25. The interest is presumed to have been paid on the first of January, 1861. It is not known how much has since been paid, if any. The bonds will show, either by the endorsements or the absence of the coupons. Besides this debt, the State has bonds for internal improvement purposes, and has endorsed the bonds of railroad companies to the amount of \$16,211,000 00. For these the State is ultimately liable upon the failure of the companies. These bonds it is believed the State will have to provide for, to preserve its credit, making an aggregate indebtedness of \$20,005,606 66, and the annual interest \$1,185,-

048 25. Of this debt proper, \$66,666 66 matured in 1861; \$61,250 in 1862; \$177,750 in 1863; and \$58,500 in 1864—in all, \$366,166 66, at once to be provided for. The Comptroller states that the bonds maturing in 1861 were “taken possession of and held by the State, subject to adjustment at the end of the war.” Besides these, the State held bonds, mostly her own, as follows: The Spencer T. Hunt Fund, 6; The Railroad Sinking Fund, 161; deposited by the free banks, 341; deposited by foreign insurance companies, 80; and in all 588 bonds. These bonds, held in trust, were carried away, it is believed, with the valuables of the State Treasury, by the State officers, who ingloriously fled on the approach of the National flag. Double payment can probably be avoided. Evidence must be in existence by which they can be identified. The notorious condition of our State affairs has been sufficient to put dealers upon their guard. So that if any of the bonds have been fraudulently sold, payment to the present holders may be justly stopped. Furthermore, it will be well to consider how far it is your duty as agents of the State, not only not to pay the bonds held by those who have been actively engaged in the rebellion to overthrow the Government, whether held by them or parties who may seek to conceal them for the benefit of the rebels, as they will likely do, I advise that you adopt measures to prevent their payment. The bonds can in no event compensate for the loss the disloyal holders have occasioned the State. The justice of holding them responsible in this way, it is believed, cannot be successfully controverted.

The arrearage of interest, amounting to nearly twenty-five per cent of the principal, is more than the people can easily pay at sight, with the other burdens, public and private, thrown upon them by the war. It will be necessary, therefore, to anticipate the means, so as, at the same time, to preserve the State credit by satisfying the creditors, and to preserve the people from oppressive taxation.

The recent amendment to the State Constitution abolishing slavery will require some changes in the revenue laws. The item of slaves will no longer appear in the list of taxables. The census of 1860 shows there were in the State about 275,000. The assessors' returns show that 130,425 were reported for taxation. Their average value had steadily increased from \$413 72 in 1846, to \$886 40. It is a significant fact that the next year, the first of the war, the average fell to \$769 36, taxes being at the low rate of seven cents upon the one hundred dollars to which our State taxation was reduced in 1860, the slaves averaging a little the rise of sixty two cents each, amounting to \$80,000 in the aggregate. The slaves held no property. Being emancipated, they will now be subjected to a poll tax. Many of them will soon acquire taxable property far beyond their personal value as slaves.

As soon as this war ceases, there is every reason to expect a large accession to our population. Thousands of sensible and practical men have been here, connected with the army, and have look-

ed with astonishment and delight at our productive soil, charming climate and great advantages of agriculture. They have seen that a farm hand in a Northern State is ordinarily worth from thirty to fifty dollars a month—that is to say, he earns that much, or say \$600 per annum. In our State a good farm hand can make five bales of cotton, of five hundred pounds each, which would make the profits of his labor worth \$2,000 per annum, against \$600 in a Northern State—a better and more certain business than going to California or any of the gold regions. Therefore it is, the value of land with us will be proportionately increased. If the tax of seven cents on the one hundred dollars, to which our burdens had been reduced in 1860, shall be increased to a reasonable extent, it is believed sufficient revenue will be realized in the next three years, over and above the ordinary expenditures, to meet the arrears of interest on the debt, to pay the sum now due, and the further sum of \$1,245 000, falling due in 1868.

It is further suggested that the list of taxable property might be increased without being oppressive. By the returns of 1860, it appears that all "other property" subject to taxation, besides land, amounted in value to but \$24,362,151—less than one half the assessed value of the town lots. Before the war our financial resources were so ample, compared with the limited demands upon them, that it was necessary to tax but a few of the principal articles of property. Our affairs are now quite changed, and every interest should be made to bear its proper burdens.

The common school system will, in this connection, demand your attention. The fund appropriated for this purpose has been squandered by the bad men and dishonest functionaries, who fled on the approach of the old flag. What shall be done to replace this great loss? At no period in the history of the State has the young and rising generation appealed so affectingly for legislative aid. Practically denied all scholastic advantages during the last four years, and deprived, as thousands have been of their natural protectors, if they are not soon provided for it will be too late for them. Indeed, not a few have already passed beyond the age to attend school, hopelessly illiterate.

In this connection your attention is called to an act of Congress providing for the establishment of an Agricultural College. Most of the States are in advance of us in accepting the offer, and perhaps we might profit by examining their legislation in regard to this subject.

The currency and the Banks are nearly allied to Finances, and are in such a demoralized condition as to demand prompt action and most positive legislation. The State owes it to herself to look into the condition of the three old banks, the bank of Tennessee, the Union and the Planters' Banks, each having its parent bank in Nashville, with affiliated branches extending over the State; also several stock banks, and the free banks. With perhaps one or two

exceptions, it is believed they are all hopelessly insolvent. All have beyond doubt violated their charters, and may properly be closed up. Nay, where they have value received for their notes, and are worth it, they should be made to redeem their issues. The policy formed by these banks, even before the war, was to keep their paper at lower quotations than that of any of the surrounding States. Even at home it was at a discount, and in some of the neighboring States it was uncurrent. This imposed upon our commerce the payment of large sums of premiums upon all remittances beyond the State, which, in the end, came off the people. Such a currency could only result from unsound financial principles, for the balance of trade with most of the surrounding States, was decidedly in our favor. It is therefore recommended that all existing banks be wound up at once, and that no more State banks be chartered. The several hundred thousand in real estate owned by the State bank should be cashed without delay. The stock was owned by the State, and it held large deposits of currency and securities. As the Union army advanced to the possession and occupation of the towns where the branches were located, the officers fled with the assets beyond the limits of the State, and they are now doubtless irretrievably gone. In the outset of the rebellion, this bank was used by the guilty conspirators, and large issues were made to further their schemes of treason. It has been determined by the people that these issues shall not be paid.

There are many notes outstanding of the bank, issued after the date specified in your amended Constitution, and intended alone for the benefit of the rebellion. Shall they be redeemed by a tax imposed upon the people? I know of no legal or moral obligation to redeem those notes, even if they occupied such an attitude that such an obligation could be enforced. It is known that when bank notes become uncurrent they are sold by the small holders, who are not in a condition to hold such paper, and bought up by speculators, generally at their own figures. In this way they accumulate in the hands of a few, often at prices almost nominal. The notes of the Bank of Tennessee it is believed, are held in this way and by this class of dealers. Having lost the principal of this banking capital, and having sold these issues in small quantities, at a heavy discount, shall our people be taxed to make these issues good in the hands of speculators? I confess I can see no equity in it. Doubtless instances will occur of individual hardship, and others will be pressed upon your attention, not so much by the parties themselves as by others interested in the adoption of a general policy, based upon these existing cases. There remain to the bank large assets, uncollected debts, and the present liabilities of the faithless officers. Suits are understood to be pending against many of these officers of branches. The others should be held to their responsibilities. I content myself with these general suggestions,

trusting in your wisdom, if you deem them practicable, to arrange the details.

The National Banking system is believed on many accounts to be preferable. This would give us a circulation current all over the country, and subject our banking to more correct principles of finance. Other States are adopting the National Banking System, and I recommend the same to the Legislature of Tennessee. Such an institution could be used profitably as the fiscal agent of the State, and if you can secure the means, one in each of the other grand divisions of the State would work to advantage.

The qualification of voters, and other limitations of the elective franchise, have been entrusted to you by the people. This delicate responsibility will devolve upon you a heavy task, and merits your whole attention. That there should be some additional limitations prescribed few will deny. Many persons in the State, by every act of which they were capable have disfranchised themselves. Probably they neither expected or desired the privilege of again voting, and would not exercise it if granted them. Many others have committed acts deserving disfranchisement, who nevertheless will resist it, and strive for every civil right they enjoyed before the war, and before their treason had involved the State in so much suffering. While I would not recommend you to give way to the impulse of vengeance any more than to the appeals of sympathy and pity, I would urge you to guard the ballot box faithfully and effectually against the approach of treason, no matter in what character it may come. The loyal people of the State, who sent you here, expect you to act decisively in the matter, and have no child's play in determining the qualification of voters. The subject has been considered by several of our sister States, whose reform was not any more loudly called for than with us. It is quite probable that this action and its effects may assist you in deciding what to accept and what to avoid.

As you are aware, upon the approach of the national forces and their occupation of our country, the Government took possession of our railroads, in most of which the State is a large stockholder. The State is deeply interested in her internal improvements, as she has endorsed bonds at the rate of ten thousand dollars per mile, for nearly all the railroads in Tennessee. And as most of these bonds are held by guardians, for the benefit in many instances of minors and widows, I think it nothing more than simple justice to pay them the interest already due them.

The Nashville and Chattanooga Railroad was taken possession of by the Federal authorities on the 7th of March, 1862, and has been held and used ever since, and, regarded as a military necessity, it was proper and right. Presuming the Government to have kept the account strictly, she is now about ready to make a settlement. My information is that certain officers of the company visited Washington on two different occasions for the purpose of obtaining a settlement with the Quartermaster General. They failed in their efforts,

though the President of the United States, who was present on both occasions, expressed his views verbally as favoring the payment of the Company for the use of the road. You should now call upon the proper authorities at Washington for payment to this and other companies, requiring the money received to be applied to the payment of interest on their bonds. The amount endorsed by the State for the Nashville and Chattanooga Railroad Company is \$1,535,000, and the interest accrued thereon is now nearly \$300,000. It is believed that upon a just settlement the Government will owe the Company largely over that amount. This road cost the Company \$3,846,900, including its equipments and depots.

The other roads in the State are similarly situated, and demand your attention. Those officers of roads, and stockholders who fled South, carrying with them the rolling stock and funds, should be held to a strict accountability, and their property and stock should be made, in part, to atone for these losses to the State and country. The case of the East Tennessee and Georgia Railroad and its faithless President, requires our special attention.

It is believed the time has now come for the companies again to use their roads—for the Government, if need be, under even a Military Superintendent—thereby effecting a vast saving to the Government, asking only the same pay for freights and passengers they are now paying to the Louisville and Nashville Railroad Company. As this war is for the benefit of the whole nation, it is not believed that the General Government intends that Tennessee shall pay more than her just proportion of the war debt.

Your attention is called to the fact that the Louisville and Nashville Railroad Company is running a portion of that road in this State, say about sixty miles, with another branch from Bowling Green to Clarksville, and for all that portion of road in our State, the Government pays the Kentucky Company, as if the road were in any other loyal State. The information I have is to the effect that the Kentucky Company treats with indifference the claims of Tennessee upon that road. It is your duty to let that Company know, in decided, but respectful terms, what your rights are, and that you dare assert and maintain them.

The duty devolves upon you, at this session, of electing two Senators to the Congress of the United States, and of re-districting the State, so as, without delay, to provide for the election of eight Representatives to the next Congress. It is with profound regret that I have observed several Republican journals, and some leading politicians, of ability and influence, are opposed to the admission of Senators and Representatives from Tennessee. They take the ground that the State should be treated as a territory, and continued under military government, subject to the arbitrary orders of military rule. If their dangerous and revolutionary doctrine is adhered to by any considerable portion of Senators and Representatives in Congress, I shall, for one, dread the consequences. My confidence in the wis-

dom and patriotism of Senators and Representatives, leads me to believe they will discard, indignantly, any such proposition. The loyal people of Tennessee have resolved through the ballot-box to rule themselves under the Federal flag; taking the ground that the State has never been out of the Union, and boldly denying that the unconstitutional and treasonable acts of those in rebellion ever carried them out of the Union. Besides, the inauguration of the Vice President from this State, and the withdrawal of a Military Governor, to give place to civil authority, fix the status of Tennessee in the estimation of the Federal authorities proper. And to your good sense and unyielding firmness I submit this grave question, not doubting that your action will be correct.

Your attention is called to the condition of affairs in the State Prison, full and specific details of which are given in the report of the officer who is in charge of that institution. I have every confidence that the Legislature will look into the wants of the institution, and do for it what, in the judgment of members, may seem proper. Meanwhile, I suggest the establishment of branches of the Penitentiary in the Western District, and in East Tennessee. The cost of building on a moderate scale, would be saved to the State, in fifteen or twenty years, in the single item of a cash market in each end of the State, for provisions to sustain, and raw material to keep the convicts employed in manufacturing—such as lumber, marble, iron, coal, leather, &c. The erection of buildings would furnish employment and cash wages to a number of mechanics; and, as there are several salaried officers attached to such an institution, it would distribute the patronage of the State in her three natural divisions. If this be not done, an enlargement of the State Prison will be required. The demoralized condition of both our white and colored population, will cause scores to be sent to the Penitentiary, as our courts go into operation.

The Tennessee Hospital for the Insane, one of the charitable institutions of the State, located in this vicinity, deserves your attention, and your aid. The prosperity and success of that noble State charity were all that its friends and the friends of humanity could desire at the breaking out of this wicked rebellion; but the Institution has struggled hard to keep above the waves of oblivion for four years past. It kept its deposits in the Bank of Tennessee, and my information is, that when the faithless officers of the bank fled, on the approach of the national flag, they carried with them some \$30,000 belonging to the Institution. For the details in regard to its past operations and present necessities I refer you to the report of the Superintendent and Chief Surgeon, a faithful and intelligent citizen.

The Tennessee Blind School, a State institution in this city, has been utterly destroyed by the Federal forces, and the unfortunate pupils, some forty in number, are distributed among their friends and the friends of humanity. It was not a military necessity that

called for the destruction of the Institution, but it was the work of recklessness, and if this General Assembly will present the subject to the Government at Washington in this light, it is believed that proper steps will be taken to restore this noble charity. The hopes of those pupils at best are blasted, and their cup of bitterness is full, when we have done all that lies in our power. We look out upon the world and we know it by its visible beauty; we know our wives by their affectionate looks, our children by their smiles and features, our neighbors by their faces and manner of address; but these, and all other earthly things, are to these blind people shrouded in darkness, and friends, children, and the world, are lost to them forever.

The Tennessee Deaf and Dumb School, located at Knoxville, merits your attention, as it is one of the charitable institutions of the State. The exciting events which are daily transpiring in the country, should not induce us to lose sight of those whose misfortunes so strongly appeal to us for aid and comfort. The buildings and grounds, erected and purchased at a heavy expense by the State are now used for hospital purposes by our army. Of the fourteen Trustees, nine of them went into the rebellion, and most of them fled South. An equal proportion of the officers and teachers of the school proved to be rebels. An early organization of the Institution upon a loyal basis is called for, and it is hoped will attract your attention.

The East Tennessee University, located at Knoxville, is a time honored Institution, and was chartered and endowed by the State, in 1807. It has been almost destroyed by the Federal Army. The library, furniture and fixtures are hopelessly destroyed. The main buildings are standing, and it is but just to the educational interests of the most loyal portion of the State, that the Government should place that Institution on as good a footing as it found it. A majority of the Board of Trustees turned out to be rebels, and their places should be filled with loyal men.

There are doubtless other Institutions in the State, which deserve the attention of this General Assembly, but I am not informed as to their situations. The members representing all the counties will be able to look after their interests, and should feel that the duty devolves upon them.

Having thus fully placed before you the information requisite to enable you to judge of the condition of the State, the evils which environ us, and the measures of legislation needed for averting them, and ridding ourselves of them, it remains for me but to invoke your attention to the consideration of those means by which, above all others we may hope to restore order and prosperity to our country. And if one be more prominent than another, it is the necessity for earnest and cordial co-operation between the State and Federal Government. To you, especially, as Senators and Representatives, do the loyal people of Tennessee look for encouragement and counsel. And to your action in the halls of legislation will all eyes be turned—not only in Tennessee, but in other States—for examples

of what is befitting loyal men. I feel full confidence that you will prove yourselves equal to the emergency, and meet expectations both at home and abroad. I feel assured, that being united in a common and holy cause, you will rise above all selfish considerations, and bowing submissively to the Divine Will, you will unite with all good men in reverently invoking the blessings of our Heavenly Father upon all we say and do, while in the service of the State.

It is, perhaps, proper for me to state, that since writing this Message, important facts have come to my knowledge, and upon unquestionable authority, relating to the use of a portion of the funds of the Bank of Tennessee, that may require me to send you, at no distant day, a special message. The interests of the State, and the just rights of the people, should be sacredly and vigilantly guarded, no matter who suffers ruin and disgrace.

WILLIAM G. BROWNLOW.

PUBLIC ACTS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF TENNESSEE,

PASSED AT THE FIRST SESSION OF THE THIRTY-FOURTH
GENERAL ASSEMBLY, WHICH WAS BEGUN AND HELD
AT NASHVILLE, ON MONDAY THE THIRD DAY OF
APRIL, IN THE YEAR ONE THOUSAND EIGHT HUN-
DRED AND SIXTY-FIVE.

CHAPTER I.

AN ACT to regulate the County Court of Shelby County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in the County of Shelby in case of vacancy, removal, or when the County Judge shall, from any cause whatever, fail to hold his Court, and a majority of the Magistrates shall fail to appear and elect a Chairman, as is now provided by law, the Clerk of said Court shall give notice in writing to any Judge or Chancellor of said County who shall have full power to hold said County Court and discharge all the duties as the Judge or Chairman could do by law.

SEC. 2. This Act to take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed April 28, 1865.

CHAPTER II.

AN ACT to increase the Compensation of Judges.

Sup. Judges.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 4538 of the Code of this State be so amended that each of the Judges of the Supreme Court of this State, hereafter appointed or elected, shall be entitled to a salary of three thousand dollars per annum, payable quarterly out of the State Treasury.

Circuit Judges.

SEC. 2. *Be it further enacted*, That section 4539 of the Code of this State be so amended that each Chancellor, Circuit and Criminal Judge of this State, except County Judges and Judges of Special Courts, hereafter appointed or elected, shall be entitled to a salary of two thousand dollars per annum.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 8, 1865.

CHAPTER III.

AN ACT to increase the pay of Public Printer.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Public Printer be paid an advance of fifty per cent. on the prices now allowed by law.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 10, 1865.

CHAPTER. IV.

AN ACT to punish all Armed Prowlers, Guerrillas, Brigands, and Highway Robbers, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That every man, or squad of men, who may, hereafter, make inroads for plunder, upon the peaceable inhabitants of this State, and by force deprive them of their property, or endeavor so to deprive them, by the alarm caused by their being armed, when in fact he or they were not at the time part of any organized army and sharing continuously in its duties, but who sometimes return to their homes, with the assumption of the semblance of peaceful pursuits, divesting him or themselves of the appearance and character of soldiers, are hereby declared Guerrillas and Highway Robbers and Brigands, and upon his or their conviction, shall suffer death by hanging.

Guerrillas.

SEC. 2. *Be it further enacted,* That scouts or single soldiers, if disguised in the dress of the country, or clothed in the uniform of either army, who shall willfully, maliciously and forcibly take from the possession or person of the peaceful citizens of the State, their property by threats of violence or the actual use of force and violence and under the terror of arms, shall, upon conviction, suffer death by hanging.

Robbers

SEC. 3. *Be it further enacted,* That all armed prowlers, by whatever name they may be called, who shall willfully, maliciously and forcibly make an attack upon any one of the peaceable citizens of this State for the purpose of robbing him or her, or of stealing his or her property, or of killing him or her, shall, on conviction, suffer death by hanging.

Prowlers.

SEC. 4. *Be it further enacted,* That all persons who shall knowingly, willingly, and voluntarily feed any such person or persons as described in the previous sections of this Act, or furnish them information for the purpose of aiding and assisting them in their unlawful and illegal objects, shall be deemed guilty of a felony, and on conviction thereof, shall be imprisoned in the Penitentiary for a period of not less than five years, nor more than twenty-one years.

Concealing.

From five to twenty-one y'rs.

SEC. 5. *Be it further enacted,* That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 17, 1865.

CHAPTER V.

AN ACT to Amend the Criminal Laws of the State of Tennessee.

Horse-stealing. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whoever shall feloniously take or steal any horse, mule, or ass, shall, on conviction thereof, suffer death by hanging: *Provided,* The jury before whom the offence is tried shall, if they think proper, commute the punishment to imprisonment in the Penitentiary for the period of not less than ten, nor more than twenty-one years.

House-breaking. SEC. 2. *Be it further enacted,* That whoever shall feloniously break open the house of another for the purpose of committing a larceny or robbery therein, shall, on conviction thereof, suffer death by hanging: *Provided,* The jury before whom the offender is tried and convicted may, if they think proper, commute the punishment for the offence to imprisonment in the Penitentiary for the period of not less than ten, nor more than twenty-one years.

Robbery. SEC. 3. *Be it further enacted,* That whoever shall feloniously rob another, or steal from his person, shall, on conviction thereof, suffer death by hanging: *Provided,* The jury before whom the offender is tried and convicted may, if they think proper, commute the punishment to imprisonment in the Penitentiary for a period of not less than ten, nor more than twenty-one years.

House or bridge burning. SEC. 4. *Be it further enacted,* That any person duly convicted of house or bridge-burning, shall suffer death by hanging: *Provided,* The jury, if they think proper, may commute the punishment to imprisonment in the Penitentiary for a period of not less than ten, nor more than twenty-one years.

Former laws not repealed. *And provided further,* That nothing in this Act shall be so construed as repealing the laws now in force for the punishing of the offences mentioned in this Act; but all persons who have heretofore committed any of the offences mentioned in this Act, shall be tried under the existing laws, and if convicted, shall be punished as now prescribed by law.

SEC. 5. *Be it further enacted,* That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 17, 1865.

CHAPTER VI.

AN ACT to Repeal the 3d Article of the 5th Chapter, Title 5, of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the 3d Article of the 5th Chapter, Title 5, 2d part of the Code of Tennessee, be and is hereby repealed.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 18, 1865.

CHAPTER VII.

AN ACT to establish the Eighth Chancery District of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Eighth Chancery District be, and is hereby, established in the State of Tennessee, to be composed of the Counties of Sevier, Blount, Monroe, Roane, Knox, Anderson, and McMinn.

SEC. 2. *Be it further enacted,* That the Chancellor elected pursuant to the provisions of this Act, shall hold the Courts in the several Counties composing said District at the times and places in said Counties now designated by law, and said Chancellor shall have all the powers and emoluments given to other Chancellors of this State; and until a Chancellor shall be appointed or elected for said District, it shall be the duty of the present Chancellor to hold the Courts in said Counties as heretofore.

Chancellor's duties.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 22, 1865.

CHAPTER VIII.

AN ACT to Amend the Revenue Laws of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 553 of the Code of Tennessee, be, and the same is hereby amended, so that the following rate of taxation shall be levied and collected, as now provided for by law: on every taxable poll, one dollar; on every hundred dollar's worth of taxable property, twenty-five cents; on sales of land, one cent per acre; on sales of town lots, or parts of town lots, for each lot, or part, five dollars; on sales of merchandize by merchants, two cents on the dollar, on its invoice cost at the place where purchased; unless the tax on the same has once before been paid to the State, in which event, no additional tax will be paid; on sales of merchandize by a peddler, for each county in which he travels, if on foot, twenty dollars, if on horseback, fifty dollars, if in a vehicle, fifty dollars, and for each vehicle, if he uses more than one, fifty dollars; on the regular business of selling at auction any article, the selling of which is not taxable, fifty dollars; in all other cases, the same rate which is imposed on sales of merchandize on commission, on the regular business of selling goods, wares and merchandize on commission, on the gross amount of sales, public and private, when the amount does not exceed ten thousand dollars, thirty-five dollars; between ten and twenty thousand dollars, sixty dollars; between twenty and thirty thousand dollars, eighty-five dollars; between thirty and forty thousand dollars, one hundred and ten dollars; and in like ratio; on the regular or general business of brokers, one thousand dollars; on granting policies of insurance, by other than companies chartered by the State, twelve hundred and fifty dollars; on the business of banking, by companies operating under the law to authorize and regulate the business of banking, thirty-five cents on each hundred dollars of the capital of each bank; on the business of banking by banks, or associations of persons of other States of the Union, three-fourths of one per cent. on the capital stated in the affidavit filed for the license as intended to be used in the succeeding twelve months; on discounting securities for money, shaving notes, two cents on every dollar employed, but in no case less than ten dollars; on theatrical exhibitions, if the theatre or place of exhi-

Polls.

Property sales.

Peddlers.

Auctions.

Merchandizing.

Brokers.

Banking.

Shaving notes, etc.

bition be in a city, five hundred dollars; if in other places, fifty dollars; on exhibiting for profit a circus, or circus and animal show, feats of activity or strength, if in a city, one hundred dollars for each day and night exhibition, if in any other places than aforesaid, fifty dollars; on keeping a confectionery, ice-cream saloon, and other places of refreshment, seven and a half per cent. on the capital employed, and the keeper shall take out a license as merchants by law are now required, and shall, in addition to said per centum, pay ten dollars for each privilege; on each petition filed in any court of record for the division and distribution of estates, five dollars; on each appeal, writ of error, or certiorari from the Circuit or Chancery Court, to the Supreme Court, five dollars; on each appeal or certiorari, from before a Justice of the Peace, three dollars and fifty cents; on each presentment, or indictment, three dollars and fifty cents; on each original suit in any of the courts of law or equity in this State, five dollars.

Shows.

Confectionery.

Judicial proceedings.

SEC. 2. *Be it further enacted*, That the owners of steam, saw and grist mills, erected upon the lands of another, shall pay an annual tax to the State of one hundred dollars. That all persons who set themselves up as lawyers, and propose to practice law in any of the courts of the State, or held within the State, or before any military commission, shall pay an annual tax to the State of twenty-five dollars. That all persons who propose so to practice, shall take out a license from the county court clerk of some county, certifying that the tax has been paid. Any person proposing to, and practising as aforesaid, failing, or refusing to take out said license, shall pay a double tax, to be recovered before any Circuit Court of the State where motion is made by the Attorney General of any district, upon ten day's notice to said delinquent, either by publication in some newspaper in the State, or in writing.

Steam mills.

Lawyers.

License.

SEC. 3. *Be it further enacted*, That all persons who set themselves up as doctors of medicine, or surgeons, (the term doctor, to include all persons who, for pay, propose to cure diseases, public or private, and the term surgeon shall be taken in the general application of the term, and shall include dentists,) shall pay an annual tax to the State of twenty-five dollars; license to be obtained, payment made, and recovery had, as provided for in the second section of this act, governing lawyers.

Doctors.

SEC. 4. *Be it further enacted*, That all persons known as photographers, and dealing in photographic and ambrotype apparatus and material, shall take out a license, and pay the same tax to the State as merchants now pay. And all persons who are or may hereafter set themselves up as artists, for the purpose of taking photographs, ambrotypes, or daguerrean likenesses, if in a city, for each gallery opened, one hundred dollars; at any other place, excepting in the country, twenty-five dollars; if in the country, five dollars; (the term gallery to mean any place where the artist takes pictures;) said tax to be paid to the Clerk of the County where the gallery is opened. Any person opening a gallery as aforesaid without paying the tax, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one hundred, nor more than five hundred dollars.

Photograph Artists.

SEC. 5. *Be it further enacted*, That sub-section two of section 691 of the Code of the State be, and is hereby, amended, by striking out the words "twenty-five dollars" and inserting the words "fifty dollars," and by striking out the word "ten" and inserting the word "twenty."

Amendment.

SEC. 6. *Be it further enacted*, That the foregoing tax shall be assessed and collected as is now provided by law; that any County which refuses or fails to make the assessment and appoint a Tax Collector to collect the taxes due the State within the year 1865, unless the Governor of the State shall be satisfied that the people of the County made honest efforts so to do, and it was impossible for them to comply with this Act, shall pay a double tax; and the Governor shall send an Assessor of his own appointing to said County, with a sufficient posse to levy and collect said double tax; that the Collector so appointed shall seize a sufficiency of the delinquent's personal property to satisfy the taxes and charges, and sell the same in any County of the State where he can get bidders, after giving the notice now required by law. If the delinquent have no personal property of which to make the taxes, then the Collector shall levy on sufficient real estate to pay the same, and shall return the facts to the nearest County having resumed civil functions; and upon return of a written statement of the facts, the Circuit Court shall, at the second term of the Court, condemn the real estate of the delinquent, or so much thereof as will be of value sufficient to satisfy the taxes and costs. And the Collector shall, af-

Now collected.

Counties refusing to assess.

Now collected.

ter giving forty days' notice in writing, posted on the Courthouse door of the County where the land was condemned, as well as in the County where the land is situated, if practicable, sell the same at public outcry, to the highest bidder, in the same manner, and with the same conditions, and upon the same terms, as now provided by law; but this section shall not apply to soldiers belonging to the United States Army, or soldiers that have served in the same and have been honorably discharged, or their widows or minor children.

SEC. 7. *Be it further enacted*, That the 553d section of the Code of Tennessee be so amended as to read as follows: "On keeping a tract for turf-racing, two hundred dollars; for half-mile tracts, one hundred dollars; for quarter-mile tracts, fifty dollars."

Race tracts.

SEC. 8. *Be it further enacted*, That any person of undoubted loyalty residing in a County where the tax has been collected as provided in this Act, shall have the privilege of paying his tax at any time before or at the time the Collector comes into the County to collect the double tax provided by this Act.

Loyal persons
excepted.

SEC. 9. *Be it further enacted*, That all Express Companies, doing business in the State of Tennessee, shall take out a license from the Comptroller, and pay over to him one thousand dollars for the privilege of doing business; and in addition, give bond to the Comptroller of five thousand dollars, to account and pay over one-half of one per cent. on their income from their business done in this State.

Express Companies.

SEC. 10. *Be it further enacted*, That the tax assessed on lawyers by this Act, shall be collected by the Clerk of the County Court of the County where the lawyer resides. Said Clerk shall issue license.

Clerk to collect
from lawyers

SEC. 11. *Be it further enacted*, That all persons who are engaged in tanning leather as an occupation, shall pay into the Treasury of the State twenty-five dollars as a privilege tax.

Tanners.

SEC. 12. *Be it further enacted*, That after paying the interest on the State debt proper and current expenses of the State, the sum of eight hundred thousand dollars be applied to Common School purposes, in addition to what is now allowed by law for said purposes.

How Revenue
to be applied.

That all the laws of the State upon the subject of Taxes, except as altered or repealed by this Act, are still in full force and effect.

That the County Courts of this State shall have the power to embrace in the catalogue of subjects of tax-

County Courts.

ation for County purposes all subjects mentioned in this Act.

This Act shall take effect from and after the date of its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 24, 1865.

CHAPTER IX.

AN ACT to more effectually manage the Penitentiary, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the salary of the Keeper of the Penitentiary of the State, shall be two thousand dollars a year, and no more, and that section 5442 of the Code be and the same is hereby repealed, so far as it gives to the Keeper one hundred dollars a year for the board of each Assistant Keeper.

SEC. 2. *Be it further enacted,* That all of the Assistants, Clerks, Guards, and other employees, shall be boarded at the expense of the Penitentiary, without any compensation being paid to the Keeper, and it is hereby made the duty of the Keeper to have the food properly prepared without any additional expense to the Penitentiary.

SEC. 3. *Be it further enacted,* That the Keeper of the Penitentiary shall hereafter be elected by the joint vote of the General Assembly of the State of Tennessee in Convention assembled.

SEC. 4. *Be it further enacted,* That the Penitentiary shall be enlarged, and for this purpose the Inspectors and Keeper of the Penitentiary are hereby instructed and required to direct the labor of the convicts to that end and object, so as to inclose the ground belonging to the Penitentiary now open, or so much thereof as, in their opinion, the necessities of the institution may require.

SEC. 5. *Be it further enacted,* That the Attorney General of the State be and is hereby instructed and commanded to examine into the item of the account showing that there is due to the Penitentiary the sum

of fifty thousand one hundred and thirty-two dollars and eighteen cents, by note and account, and if said indebtedness has been created since the year 1858, to institute legal proceedings against the keepers and their securities who have created said indebtedness in violation of law; and for this purpose he may procure competent counsel to represent the interests of the State, who shall be paid as the General Assembly may hereafter direct.

Attorney Gen'l
to bring suit.

SEC. 6. *Be it further enacted*, That the office of Auditing Clerk in the Penitentiary be, and the same is, hereby repealed.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 24, 1865.

CHAPTER X.

AN ACT to provide for the Limitation of Actions, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That no Statute of Limitations shall be held to operate from and after the 6th day of May, 1861, to the 1st day of January, 1867, and from the latter date the Statutes of Limitations shall commence their operation according to existing laws, and the time between the 6th day of May, 1861, and the 1st day of January, 1867, shall not be computed, nor shall any writ of error be refused or barred in any suit decided since the 6th day of May, 1861, or within one year immediately prior to that date by reason of lapse of time.

Statutes sus-
pended.

SEC. 2. *Be it enacted*, That the Statutes of Limitations prescribed in Chapter 2, Article 3, Section 2784 of the Code of Tennessee, shall not be held to operate, or the time be computed from the 6th of May, 1861, to the 1st of January, 1867, and from and after the 1st day of January, 1867, said Statutes of Limitation shall commence its operations according to existing laws.

When to com-
mence.

SEC. 3. *Be it enacted*, That if at any time any cause of action shall accrue against any person who shall be out of this State, the action may be commenced within the time limited therefor, after such persons shall

When def't out
of the State.

come into the State, and after any cause of action shall have accrued, the person against whom it has accrued shall be absent from, or reside out of the State, the time of his absence or residence out of State shall not be taken as any part of the time limited for the commencement of the action.

Redemption.

SEC. 4. *Be it further enacted*, That in all cases where real estate is subject to redemption, as prescribed in Chapter 5, Section 2124 to 2137 inclusive, of the Code of Tennessee, the time between the 6th day of May, 1861, and the 1st day of January, 1867, shall not be held to operate, or be computed, and all persons entitled to redeem such real estate shall have six months from and after the 1st day of January, 1867, to redeem the same according to existing laws.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 30, 1865.

CHAPTER XI.

AN ACT to Fix the Fees to be paid by Commissioners of Deeds resident in other States.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Secretary of State shall be allowed a fee of five dollars for affixing the Great Seal of the State to the commission of each Commissioner of Deeds for this State.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 31st, 1865.

CHAPTER XII.

AN ACT for the Relief of Indigent Families of Soldiers.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Courts of this State shall have power, at any quarterly term, a majority of the Justices of the Peace of the county being present, to levy a tax on property privileges and polls, to raise a fund for the relief of indigent families of soldiers in the United States army; said fund to be collected and paid to the Trustee, as now provided for by law: *Provided*, That the widowed mothers, wives and minor children of soldiers who have died in the Federal service, shall have the benefit of this Act in common with the families of those still living. Tax to be levied.

SEC. 2. *Be it further enacted*, That the fund raised under the provisions of the first section of this Act shall be under the control of the County Court of the county where raised, and shall be used only for the purpose for which it was raised—unless the necessity for which it was intended ceases—then it shall become a part of the general fund of the county. How used.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. ROGERS,
Speaker of the Senate.

Passed May 31, 1865.

CHAPTER XIII.

AN ACT to Amend the Corporation of the City of Shelbyville, and for other Purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Sheriff of Bedford County shall open and hold, upon ten day's notice, an election for Mayor and Aldermen, and other officers of the town of Shelbyville, according to existing laws, who, when elected, shall have all the powers, until their successors are elected at the next regular election, and qualified as required by law, that are conferred by law Elections.

on said Mayor and Aldermen, and other officers of the corporation of said town of Shelbyville.

SEC. 2. *Be it further enacted*, That the Sheriff of each county in the State, shall open and hold, upon ten days's notice, an election for Mayor and Aldermen, and other officers in any incorporated town, village or city, according to existing laws; who, when elected, shall have all the powers conferred on them by their respective Charters of Incorporation, and until their successors are elected and qualified, as required by law.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 31, 1865.

CHAPTER XIV.

AN ACT to Change the Times of Holding the Chancery Courts at Athens and Benton, in this State.

Athens.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chancery Court at Athens, McMinn county, Tennessee, shall hereafter be holden on the fourth Mondays of May and November in each year, instead of third Mondays of February and August, as now provided by law. The first Court after the passage of this Act shall be holden on the third Monday of February next, as heretofore, but forever thereafter the Chancery Courts at Athens shall be holden, commencing on the 4th Mondays of May and November, as above provided.

Benton.

SEC. 2. *Be it further enacted*, That hereafter the Chancery Courts at Benton, in Polk county, Tennessee, shall be holden on the third Mondays of June and December in each year, instead of the first Mondays of February and August, as now provided by law; and the first Court after the passage of this Act shall be holden on the third Monday of June, 1865.

SEC. 3. *Be it further enacted*, That the Chancery Courts for the Eighth Chancery Division of this State,

shall be held at the the following times and places, each and every year: Fourth Mondays of May and November, at Athens, McMinn County, Tennessee. First Mondays of June and December, at Madisonville, Monroe County, Tennessee. Fourth Mondays of June and December at Maryville, Blount County, Tennessee. Thursday after the third Mondays of April and October, at Kingston, Roane County, Tennessee. First Mondays of April and October, at Knoxville, Knox County, Tennessee. Second Mondays of April and October, at Seveirville, Seveir County, Tennessee. First Mondays of May and November, at Clinton, Anderson County, Tennessee.

Eighth Chancery District.

SEC. 4. *Be it further enacted*, That hereafter all Process issued from any of said Chancery Courts, in the Eighth Chancery Division of this State, shall be made returnable to the times and places mentioned in this Act, and that the next Chancery Court at Maryville, Blount County, Tennessee, shall be holden on the fourth Monday of December, 1865, instead of the time heretofore provided for by law.

Process.

SEC. 5. *Be it further enacted*, That the Chancellor of the Eighth Chancery Division of this State, shall have full power and authority to hold the Circuit Courts of the counties composing said Chancery Division, whether by interchange with a Circuit Judge or not; and such Circuit Courts as he may hold, and such causes as he may try and determine in such Circuit, shall be good and valid, to all intents and purposes, and he shall have and exercise all the powers of Circuit Judges.

Chancellor to act as Judge.

SEC. 6. *Be it further enacted*, That the Chancery Court at Taylorsville, for Johnson county, shall be held on the third Mondays of April and October.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. ROGERS,
Speaker of the Senate.

Passed June 2, 1865.

CHAPTER XV.

AN ACT to Repeal an Act passed on the 19th day of March, 1860, to repeal Section 4766 of the Code, and to re-enact Section 4766 of the Code.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That whoever shall be guilty of uttering seditious words or speeches, spreading abroad false news, writing or dispersing scurrilous libels against the State or General Government, disturbing or obstructing any lawful officer in executing his office, or of instigating others to cabal and meet together, to contrive, invent, suggest, or incite rebellious conspiracies, riots, or any manner of unlawful feud or differences, thereby to stir people up maliciously to contrive the ruin and destruction of the peace, safety, and order of the Government, or shall knowingly conceal such evil practice, shall be punished by fine and imprisonment at the discretion of the Court and Jury trying the case, and may be compelled to give good and sufficient sureties for his or her good behavior during the Court's pleasure, and shall be incapable of bearing any office of honor, trust, or profit in the State Government, for the space of three years.

Sedition.

Punishment.

SEC. 2. Be it further enacted, That it shall be the duty of the Judges to give this Act in charge to the Grand Jury, and no prosecutor shall be required to an indictment under this Act.

SEC. 3. Be it further enacted, That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 3, 1865.

CHAPTER XVI.

AN ACT to limit the Elective Franchise.

WHEREAS, The first Article and the first Section of the Declaration of Rights in the Constitution of the State of Tennessee declares: "That all power is inherent in the people, and all free Governments are

founded on their authority and instituted for their peace, safety and happiness, for the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish the Government in such manner as they may think proper; and

Preamble.

WHEREAS, A large and respectable Convention of the free and loyal people of the State of Tennessee, met in the city of Nashville, on the 9th day of January, 1865, and proposed certain alterations and amendments to the Constitution of the State of Tennessee, for rejection or ratification by the loyal people on the 22d of February following; and

Convention.

WHEREAS, Said amendments and Schedule were solemnly ratified with great unanimity by the authoritative voice of the people; and

WHEREAS, The 8th section of said Schedule provided for the election of a Governor and members of the Legislature on the 4th day of March, 1865, and who, in accordance therewith, were elected by the ballots of the loyal people; and

Schedule.

WHEREAS, The same authoritative voice in section 9th of the schedule delegated to the General Assembly meeting *first* under this amended Constitution, the right to fix the qualification of voters and the limitation of the elective franchise; therefore, acting faithfully under and in accordance with this delegation of supreme power;

Supreme power delegated.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following persons, to-wit:

Voters.

1. Every white man twenty-one years of age, a citizen of the United States, and a citizen of the County wherein he may offer his vote six months next preceding the day of election, and publicly known to have entertained unconditional Union sentiments from the outbreak of the rebellion until the present time. And

Unconditional Union men.

2. Every white man, a citizen of the United States, and a citizen of the County wherein he may offer his vote six months next preceding the day of election, having arrived at the age of twenty-one years since March 4th, 1865: *Provided*, that he has not been engaged in armed rebellion against the authority of the United States voluntarily. And

Arriving of age.

3. Every white man of lawful age, coming from another State, and being a citizen of the United States, on proof of loyalty to the United States, and being a

From another State.

citizen of the County wherein he may offer his vote six months next preceding the day of election; and

4. Every white man, a citizen of the United States, and a citizen of this State, who has served as a soldier in the army of the United States, and has been or may be hereafter honorably discharged therefrom. And

5. Every white man of lawful age, a citizen of the United States, and a citizen of the County wherein he may offer his vote six months next preceding the day of election, who was conscripted by force into the so-called Confederate army, and was known to be a Union man, on proof of loyalty to the United States, established by the testimony of two voters under the previous clauses of this section. And

6. Every white man who voted in this State at the Presidential election in November, 1864, or voted on the 22d of February, 1865, or voted on the 4th of March, 1865, in this State, and all others who had taken the "oath of allegiance" to the United States, and may be known by the Judges of election to have been true friends to the Government of the United States, and would have voted in said previously mentioned elections if the same had been holden within their reach, shall be entitled to the privileges of the elective franchise.

SEC. 2. *Be it further enacted*, That all persons who are or shall have been civil or diplomatic officers or agents of the so-called Confederate States of America, or who have left judicial stations under the United States or the State of Tennessee, to aid in any way, the existing or recent rebellion against the authority of the United States, or who are or shall have been military or naval officers of the so-called Confederate States, above the rank of Captain in the army, or Lieutenant in the navy; or who have left seats in the United States Congress, or seats in the Legislature of the State of Tennessee to aid said rebellion, or have resigned commissions in the army or navy of the United States, and afterwards have voluntarily given aid to said rebellion; or persons who have engaged in treating otherwise than lawfully as prisoners of war, persons found in the United States service as officers, soldiers, seamen, or in any other capacities; or persons who have been or are absentees from the United States for the purpose of aiding the rebellion; or persons who held pretended offices under the Govern-

Soldiers.

Loyal Conscripts.

Voters in Nov.,
1864—Feb., 1865
—Mar., 1865.

Rebels excluded.

Office-holders.

Agents.

ment of States in insurrection against the United States, or persons who left their homes within the jurisdiction and protection of the United States, or fled before the approach of the national forces and passed beyond the Federal military lines into the so-called Confederate States, for the purpose of aiding the rebellion, shall be denied and refused the privilege of the elective franchise in this State for the term of fifteen years from and after the passage of this Act.

Refugees south

SEC. 3. *Be it further enacted*, That all other persons, except those mentioned in section 1 of this Act, are hereby and henceforth excluded and denied the exercise of the privilege of the elective franchise in this State for the term of five years from and after the passage of this Act.

Exclusion.

SEC. 4. *Be it further enacted*, That all persons embraced in section 3 of this Act, after the expiration of said five years, may be re-admitted to the privilege of the elective franchise, by petition to the Circuit or Chancery Court, on proof of loyalty to the United States, in open Court, upon the testimony of two or more loyal citizens of the United States.

Re-admission.

SEC. 5. *Be it further enacted*, That so long as any of the white citizens of the State of Tennessee, who by this Act are entitled to exercise the elective franchise, shall be connected with the Army of the United States, or with the military force of this State in actual service, the Governor shall issue writs of election to the commanding officers of such brigades, regiments, or detachments of Tennessee soldiers, wherever located, who shall open and hold the election, and receive the votes of their respective commands, and return the same to the Secretary of State, and which shall be counted in the same way and manner as if said votes had been cast in any of the Counties of the State to which the soldiers belonged.

U. S. Soldiers.

SEC. 6. *Be it further enacted*, That it shall be the duty of the County Court Clerk, in each County, to open and keep a registration of voters, and before whom proof, under oath, that the voter falls within the provisions of Article 1 of this Act, shall be made: *Provided*, No man of publicly known Union sentiments shall be required to make oath in doing the same; and said Clerk shall receive such compensation as the County Court in each County may deem proper; and also said Clerk shall issue to all such persons a certificate of registration, and no one shall be

Registration.

permitted by the judges of election to vote unless so registered.

Challenge.

SEC. 7. *Be it further enacted*, That any voter may be challenged by an admitted voter of section 1 of this Act, on offering his vote; and thereupon the judges of election shall peremptorily administer to the person so challenged, before permitting him to vote, the following oath, said oath also to be taken by all judges of election and candidates for office:

O A T H.

I solemnly swear that I will henceforth support the Constitution of the United States and defend it against the assaults of all its enemies; that I am an active friend of the Government of the United States; that I will heartily aid and assist the loyal people in whatever measures may be adopted under the Constitution of the United States, and under all laws and proclamations made in pursuance thereof, to establish the National authority over all the people of every State and Territory embraced in the National Union; and that I will faithfully and most heartily support and defend the Constitution of the State of Tennessee, and the amendments and schedule thereunto appended and adopted by the people on the 22d day of February, 1865; and also all Acts of the General Assembly assembled in accordance therewith; and that I take this oath freely, voluntarily, and without mental reservation: so help me, God.

SEC. 8. *Be it further enacted*, That any person taking this oath falsely, shall be guilty of perjury, and shall suffer the pains and penalties attached to that crime.

SEC. 9. *Be it further enacted*, That the power is reserved to alter, amend or change the provisions of this Act, at any time when, in the opinion of this General Assembly of the State, it is right and proper to do so.

SEC. 10. *And be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 5, 1865.

CHAPTER XVII.

AN ACT to repeal an Act incorporating a Military Department in Andrew College, and the Memphis Arms Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Acts incorporating a Military Department in Andrew College, and the Memphis Arms Company, which were passed January 30, 1861, be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That an Act passed January 31, 1861, authorizing the Mayor of the city of Memphis and the Sheriff of Shelby County to call out the 154th Regiment to suppress insurrection, riot, or invasion, at the expense of the City and County, be, and the same is hereby repealed. 154th Rebel Reg.

SEC. 3. *Be it further enacted*, That an Act to incorporate the Memphis Light Dragoon Company, which was passed January 31, 1861, be and is hereby repealed.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 5, 1865.

CHAPTER XVIII.

AN ACT to amend Section 117 of the Code, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Criminal Court of the County of Montgomery be, and the same is hereby, abolished; and that the jurisdiction of said Court be, and the same is hereby, conferred upon the Circuit Court of Montgomery County as fully and completely as can by law be done. Criminal Court
abolished.

SEC. 2. *Be it further enacted*, That all of the causes in the Criminal Court of Montgomery County shall be transferred to the Circuit Court of Montgomery County, and all bonds taken for the appearance of defendants be returnable to the first Tuesday after the Causes transf'd.

second Monday in September, 1865, before said Circuit Court.

SEC. 3. *Be it further enacted*, That the Circuit Judge of the Tenth Judicial Circuit of the State of Tennessee shall have full power to try all such criminal causes as may be thus transferred to it, or that may hereafter arise in the County of Montgomery; and that he is hereby clothed with full power to fix a day at each term of his Court when all such business shall be taken up.

Grand Jury for
Davidson Co.

SEC. 4. *Be it further enacted*, That there shall be regularly empannelled a Grand Jury for the County of Davidson, which shall be elected, sworn and impannelled by the Circuit Court of Davidson County, and shall have its sittings during the regular session of said Court, and with full power of all other Grand Juries in the State; and that the bills and presentments so made by the Grand Jury thus empannelled and returned, shall be regularly transferred to the Criminal Court of Davidson County for process to issue, and trial to be had, as in other criminal cases.

SEC. 5. *Be it further enacted*, That the Circuit Court of Montgomery County shall have full power, with all other Criminal Courts of the State, to organize and empannel a Grand Jury as now provided for by law.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 5, 1865.

CHAPTER XIX.

AN ACT to authorize the investment of Trust Funds, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Courts of Law and Equity in this State be, and they are hereby, authorized to have the money and funds in the hands of clerks and receivers, or trustees, in litigation, or under the control of said Courts, invested in the Public Stocks, or

U. S. Stocks.

bonds of the United States, under such rules and orders in each case as may be legal and just.

SEC. 2. That guardians, executors, administrators, and trustees shall also be authorized and empowered to invest money and funds in their hands in the public stocks or bonds of the United States, and make report thereof to the County Court of the County where such guardian, executor, administrator, or trustee resides, unless another mode of investment is required by will or deed of the testator or other person who has established the funds.

Guardians, &c.

SEC. 3. This Act to be in force from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XX,

AN ACT to Establish a Claim Agency of Tennessee in the City of Washington.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor by and with the advice and consent of the Senate, be, and he is hereby directed, to appoint an agent for the State of Tennessee, learned in the law, and faithful in business, who shall keep his office in the city of Washington, whose duty it shall be, whenever requested by the party or parties interested, to prosecute before the Court of Claims at Washington, or before any of the Departments at Washington, any claim or demand growing out of the existing war, which the State of Tennessee, or any citizen or soldier thereof, has against the government of the United States; *Provided,* That the person appointed under this Act shall hold no other office or appointment under the United States or the State of Tennessee.

Agent.

SEC. 2. *Be it further enacted,* That it shall be the duty of said agent to answer all communications addressed to him by any Tennessee soldier or citizen, or any officer of the State Government, in regard to

To answer letters.

any matter of business in any of the Departments at Washington.

Power of Governor. SEC. 3. *Be it further enacted,* That said agent shall perform such other duties as may from time to time be required of him by the Governor, and may be removed by the Governor whenever, in his opinion, the interest of the people of Tennessee require it.

To charge no fees. SEC. 4. *Be it further enacted,* That the agent appointed under this act shall not, directly or indirectly, receive or charge any fee for services rendered under this Act to Tennessee soldiers, their widows, heirs, and legal representatives; nor shall he purchase, trade or deal in any claim against the United States, whether the same is or is not in his hands for collection.

Punishment. SEC. 5. *Be it further enacted,* That any violation by said agent, of the provisions of the preceding section, shall be a misdemeanor in office, and punishable by fine or imprisonment, or both, at the discretion of the jury. He may be indicted in the Circuit Court of the county where the claimant or soldier resides, or in the Circuit Court of the County in which the agent resides.

Oath and Bond. SEC. 6. *Be it further enacted,* That before entering on the discharge of the duties of his office, he shall take the oath that other officers of this State are required, under the Constitution, to take, and shall execute a bond with sufficient security, to be approved of by the Governor, conditioned that he will faithfully and diligently discharge the duties of his office; make full, fair and complete returns of all claims and funds which may come into his hands or may be entrusted to him, and pay over to the claimant all money, vouchers and effects which he may receive for any claimant; and that he will not, directly or indirectly, purchase, trade or deal in any claim whatever against the United States; which bond shall be filed and preserved in the office of the Secretary of State, and upon which any one aggrieved may maintain a suit for any breach thereof, and any recovery on the same shall not bar any other suit upon the same, for any other and distinct cause of action.

Salary. SEC. 7. *Be it further enacted,* That the agent shall receive, as compensation for his services under this Act, a salary of fifteen hundred dollars, payable out of the State Treasury.

SEC. 8. *Be it further enacted,* That for prosecuting the claims of the State, or the claims of soldiers, their widows, heirs, and legal representatives, said agent

shall receive no other compensation than the salary herein allowed, but for prosecuting and collecting the claims of other persons, citizens of Tennessee, he is allowed to charge any fee agreed upon between him and the claimant not exceeding five per centum on the amount of the claim allowed, where such allowance is one hundred dollars or less, if over one hundred, and not exceeding one thousand dollars, five dollars on the first hundred dollars, and three per centum on the residue, may be charged, and if more than one thousand dollars, then two and a half per centum on the excess over one thousand dollars collected: *Provided*, The agent shall not attend to the prosecution of the claims of any other State; and for a violation of this section he shall be dismissed from his office by the Governor, and on indictment in the Circuit Court of the county where the claimant resides, fined in a sum not exceeding five times the amount of fees charged.

Citizen's Claims

SEC. 9. *Be it further enacted*, That the agent shall hold his office for a period not exceeding two years, from the first day of October, 1865, and in the event of his death, resignation, or removal from office, the Governor may appoint a successor for the unexpired term, who shall receive the office, books, papers and claims of his predecessor, and be governed by the provisions of the foregoing sections of this Act.

SEC. 10. *Be it further enacted*, That this act shall take effect from and after its passage, and shall continue in force until the first day of October, eighteen hundred and sixty-seven.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 5th, 1865.

CHAPTER XXI.

AN ACT for the Benefit of Discharged Union Soldiers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all discharged Union soldiers, who have served either as State or Federal soldiers, and have been honorably discharged the service, and all citizens who have always been loyal, shall be per-

mitted to carry any and all necessary side arms, being their own private property, for their personal protection and common defence.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XXII.

AN ACT accepting on the part of the State of Tennessee a Grant of Lands made by the United States to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act of Congress of the United States, approved July 5, 1862, entitled An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts, and the grant of land and land-script thereby made, be, and the same is hereby, accepted on the part of the State of Tennessee.

SEC. 2. *And be it enacted*, That the said grant of land and land-script is hereby accepted for the purposes and upon the conditions in said Act of Congress specified, and the assent of the State of Tennessee to the several conditions and provisions in said Act contained, is hereby signified and expressed.

SEC. 3. *And be it enacted*, That the Governor of this State, and such person as he shall appoint for that purpose, are hereby appointed commissioners for the State to receive from the Secretary of the Interior, or other officer of the United States, the land-script to which the State of Tennessee is, or may be entitled under the Act of Congress aforesaid; said script to be held by said commissioners for the State until provision is made by law for the sale thereof and investment of the proceeds in accordance with the provisions of said Act of Congress.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XXIII.

AN ACT to provide for the payment of certain counsel fees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all cases where suits have been brought, or may hereafter be brought, against any persons that have been connected as president, cashier, directors, debtors, or in any way liable to the Bank of Tennessee or Branches, by attornies, instructed by the Attorney General of the State to bring said suits, said attornies shall be paid such compensation for their services as the Governor, Secretary of the State, and Attorney General of the State may deem just; the same to be paid out of any money in the Treasury not otherwise appropriated, upon the certificate of said officers certifying the amount to the Comptroller.

SEC. 2. *Be it further enacted*, That in all cases where the interest of the State requires (in the judgment of the Governor and Attorney General of the State) additional counsel to the Attorney General of the State, or District Attorney, the Governor shall employ such counsel, who shall be paid as provided in the first section of this Act. This Act to take effect from and after its passage.

Governor to employ counsel.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate

Passed June 7, 1865.

CHAPTER XXIV.

AN ACT for the Protection of Sheriffs and other Civil Officers of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Sheriffs of the several counties in this State are hereby authorized to raise a posse of men not to exceed twenty-five in number as a county Patrol, and to aid the Sheriff and all other Civil Officers of the County in enforcing civil law and order; and further, the Sheriffs of the different Counties in this State shall in all cases of emergency have

Posse

discretionary power to summon, in addition to the posse granted by this Act, as many more men as will in his judgment, be sufficient to either capture or disperse all opposing forces.

SEC. 2. *Be it further enacted*, That the above County Guards shall consist of the citizens of the County, and none shall be eligible to serve but such as have a good moral character and unquestionably loyal to the United States and State of Tennessee.

Expenses.

SEC. 3. *Be it further enacted*, That the expense of raising and keeping in said service the above force, shall be paid by the County in which it is raised, and the Clerk of said County shall keep a current account of all such expenses, and report the same to the Comptroller of the State, and that the County Court shall have power to disband the same when in their opinion the causes for which they were raised shall have passed away.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS.

Speaker of the Senate.

Passed June 7, 1865.

CHAPTER XXV.

AN ACT "To Regulate the Stock of the County of Sumner in the Nashville and Louisville Railroad, and for other purposes."

WHEREAS, Under the authority of an Act of the General Assembly of the State of Tennessee, the citizens of Sumner County voted to subscribe \$300,000 stock in the Louisville and Nashville Railroad; and

Preamble.

WHEREAS, By a subsequent Act of the Legislature said subscription was paid by the issuance of the Bonds of the County, payable in twenty years, with six per cent. interest, payable semi-annually in the city of New York, \$100,000 of which Bonds are dated the 1st of June 1854, \$100,000 of which are dated 1st of June, 1855, and the remaining \$100,000 the 1st of June, 1856; all of which were delivered to the Presi-

dent of the Louisville and Nashville Rail Road, and for which the County received a certificate of stock in said Rail Road to the amount of \$300,000; and

WHEREAS, There has been no provision made for the redemption of the Bonds of the County, issued as aforesaid to pay off the interest that has accrued since the 1st day of January, 1861;

Now, therefore, in order to enable the people of said County to free themselves from said indebtedness,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Judge of Sumner County shall have the power, and it is hereby made his duty to advertise in some one of the papers published in the city of Nashville and Louisville, requesting the holders of the Bonds of Sumner County to file in his office their amount, date and number, and to open a negotiation with said holders for the payment of said Bonds in the stock of said County in the Louisville and Nashville Railroad, at par; and in all cases where the holders of any of said Bonds shall agree to take said stock, or a regular transfer thereof, dollar for dollar, then the said County Judge shall make said exchange, and by Power of Attorney acknowledge before the Clerk of the County Court, or in person transfer said stock upon the books of the Company to such holder, or his, her, or their order; and receive in lieu of said stock such Bond or Bonds so paid; and he shall report to the next term of the County Court all of the Bonds so taken up. As he shall so receive a bond, he shall write in legible letters across its face, cancelled, with the date and his official signature; and it shall be his duty in the presence of the Clerk thereof, and such Justices of the Peace as may be present, to cancel said Bonds, and record shall be made upon the Minutes of said Court of said cancellation.

County Judge.

To exchange
stock for bonds.

SEC. 2. *Be it further enacted*, That to meet any interest due on said Bonds, the County Judge of Sumner County is authorized and required to ascertain from said Company what is the amount of dividends due the County on said stock, and after giving three months' notice to holders of coupons, in the papers aforesaid, he will pro-rata the same among said holders, who shall present the same as notified, and give such parties delivering up their coupons authority to draw their portion of said dividends, and as coupons shall be thus taken up, they shall be cancelled in like manner *provided for the cancellation of the Bonds: Provided,*

Dividends.

however, that in case any holder of a Bond with interest due thereon from the 1st of January, 1861, shall be willing to exchange his bond and interest for the like amount of stock and such dividends as may be due, then said County Judge shall make said exchange and deliver the necessary transfers; all of which shall be reported as aforesaid.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 7, 1865.

CHAPTER XXVI.

AN ACT to accept the surrender of the Charter of the Bank of Middle Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the surrender of the charter of the Bank of Middle Tennessee at Lebanon be accepted, and that the stockholders in said Bank have three years to settle or liquidate the business; and that all persons holding the notes of said Bank shall present them to said Bank for payment within three years, or afterwards they will be barred; that said stockholders shall have all the privileges conferred by their charter which are necessary to the collecting the debts and liquidating said Bank, and that said Bank be exempted from the tax imposed by its charter during the three years granted by this Act.

Exempted from
tax.

SEC. 2. *Be it further enacted*, That no Bank in this State shall be employed to act as a fiscal agent of the State whose president and cashier and directors have not been since the beginning of the Rebellion, and are now, unconditional Union men.

Fiscal agent.

SEC. 3. *Be it further enacted*, That all Stock Banks in this State shall be allowed to surrender their charters upon the same terms, and have the same time allowed them in which to wind up their business, as is allowed by this Act to the Bank of Middle Tennessee: *Provided*, That each application shall be accompanied by a special exhibit of the Bank, showing its ability to meet all its liabilities.

Surrender
of
charters.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXVII.

AN ACT to repeal the law apportioning money to Division Fairs and County Societies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 284 of Article 3, Chapter 4, Title 3, of the Code, be, and is hereby, repealed.

SEC. 2. *Be it further enacted*, That Section 296 of Article 4, Chapter 4, Title 3, of the Code, be, and is hereby, repealed.

SEC. 3. *Be it further enacted*, That no money shall be paid out of the Treasury for any annual appropriation to Division Fairs and County Societies that may be due them, or which they may claim for any past year or years. And that this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXVIII.

AN ACT to supply lost Deeds and Title Papers.

WHEREAS, under the casualties of war, many of the records belonging to the several offices of the Registers of the different Counties in the State, have been lost and destroyed, and it is necessary to preserve, as far as possible, the muniments of title to land; therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the present or any subsequent owner

Re-registration.

of land in this State may, for the purpose of perpetuating the evidence of his title to his land, carry to any of the Registers of the Counties in this State where his land or lands are situated, the original conveyances which may be in his possession or the possession of any one else, and have the same recorded by said Register in the Register's books, together with the certificate attached to said original conveyances, showing that it had been previously duly registered; and if the owner of the land should be informed of the existence of any original conveyance in the possession of any third party who will not voluntarily produce it for registration, then the Register, on the application of the owner of the land in writing, may cause a subpoena *duces tecum* to issue, to compel the holder to produce said deed or conveyance, so that it may be registered for the security of the title of the claimant or owner. The Register shall receive the same fees as now fixed by law for similar services, to be paid by the applicant. And this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXIX.

AN ACT to modify the oath prescribed for Liquor Dealers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the oath prescribed in Article 6, Section 691, of the Code, be, and is hereby, so amended as to read as follows, to wit:

"I do solemnly swear (or affirm) that I will not, under the license which I am about to obtain, knowingly permit or connive at any gaming for money, or any other valuable consideration, in the house in which I may retail spirits, or in any other place of which I may have control, either directly or indirectly; and if any person should game or bet to my knowledge, (and I will exercise due diligence to know,) I will give information thereof to the Grand

Jury of my County at the next term of the Court:
So help me, God."

SEC. 2. *Be it further enacted*, That all persons now holding license under said section (691) may return the same to the Clerk of their respective County Courts, and demand in lieu thereof (on payment of the usual Clerk's fee for a new license) a license for their unexpired time, in conformity with this Act. License renewed

SEC. 3. *Be it further enacted*, That so much of said section as is in conflict with this Act be, and the same is hereby, repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 8, 1865.

CHAPTER XXX.

AN ACT to release the citizens from paying the State and County Taxes for the years 1862, 1863, and 1864.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the people of the State of Tennessee be, and are hereby, released from the payment of the State Tax for the years 1862, 1863, and 1864: *Provided*, That nothing in this Act shall be so construed as to refund to the people any taxes already collected for said years. State Tax.

SEC. 2. *Be it further enacted*, That the County Courts of the respective Counties in this State may release the people of their Counties from the payment of the County Taxes for the years specified in the first section of this Act: *Provided*, Nothing in this section shall be so construed as to refund any County Taxes already collected. County Tax.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXXI.

AN ACT to Amend "An Act to Reform and Regulate Banking in Tennessee"
Passed February 6th, 1860.

To surrender
Charter to,
Governor.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 32d Section of said Act be so amended as that the surrender of Charters of Banks therein provided for, may be made to the Governor of the State of Tennessee, at any time when the Legislature of said State is not in session, and that such surrender shall be, to all intents and purposes, as good and valid as if made to the Legislature.

Assignment.

SEC. 2. *Be it further enacted*, That the same privileges mentioned in the first section of this Act is conferred upon all Stock Banks in the State, and each and every Bank in the State is hereby authorized and empowered to make an assignment of the effects of said bank or banks, to any trustee or trustees, receiver, or otherwise: *Provided*, That said assignment is made so as to give the preference to the bill-holders thereof over all other creditors of such bank or association: *And, provided*, The assets so transferred and assigned, are made secure in the hands of the trustee, receiver or agent.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXXII.

AN ACT to declare and make Valid certain Acts of certain Officers of this State.

Clerks de facto.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all process, original *mesne*, or final, issued since the first day of September, 1863, by clerks *de facto*, acting in good faith of the County, Circuit, or Chancery Courts, holden under the true and lawful Government of the State, or under authority of the United States, be, and is hereby declared, good and valid in law.

SEC. 2. *Be it further enacted*, That all process issued from said Courts, since said period of time, served or executed by any sheriff, coroner or constable defacto, and acting in good faith, be, and is hereby declared to be legally served and executed in law, and shall be held good and valid in law: *Provided*, No execution of any order, judgment or decree, or sale thereunder, shall be deemed or taken to be good or valid in law, unless said Court had jurisdiction thereof; and said order, judgment, or decree, or sale thereunder, was valid and binding in law.

SEC. 3. *Be it further enacted*, That the Governor of the State be, and is hereby authorized, to commission all officers elected in the County of Carroll, under the Proclamation of Andrew Johnson, Military Governor of the State of Tennessee, on the first Saturday in March, 1864, and that the County and Circuit Courts of said County take all proper bonds of the said officers, and qualify them according to law. Officers of Carroll County.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXXIII.

AN ACT to Provide for the Payment of the Governor's Staff.

Be it enacted by the General Assembly of the State of Tennessee, That the Comptroller of the State shall keep an account with the officers composing the Governor's Staff, and shall settle with them every two months, and shall issue his warrant upon the Treasurer for the amount due them from time to time. And that this act shall take effect from and after the date of its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 9, 1865.

CHAPTER XXXIV.

AN ACT to Apportion the Representation in the Congress of the United States.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the counties of Johnson, Carter, Sullivan, Washington, Hawkins, Hancock, Green, Cocke, Jefferson, Grainger and Seveir, shall compose the First Congressional District of this State.

2d District. The counties of Claiborne, Union, Knox, Campbell, Scott, Morgan, Anderson, Blount, Monroe, Polk, McMinn, Bradley and Roane, shall compose the Second Congressional District of this State.

3d District. The counties of Meigs, Rhea, Hamilton, Marion, Grundy, Bledsoe, Van Buren, Sequatchie, Warren, White, Smith, Cumberland, Putnam, Jackson, Macon, Overton, DeKalb and Fentress, shall compose the Third Congressional District of this State.

4th District. The counties of Rutherford, Cannon, Coffee, Franklin, Lincoln, Bedford, Marshall and Giles, shall compose the Fourth Congressional District of this State.

5th District. The counties of Williamson, Davidson, Wilson, Sumner, Robertson and Cheatham, shall compose the Fifth Congressional District of this State.

6th District. The counties of Lawrence, Wayne, Hardin, Decatur, Perry, Lewis, Maury, Hickman, Humphreys, Dickson, Montgomery and Stewart, shall compose the Sixth Congressional District of this State.

7th District. The counties of Benton, Henry, Weakley, Obion, Dyer, Gibson, Lauderdale, Henderson and Carroll, shall compose the Seventh Congressional District of this State.

8th District. The counties of McNairy, Hardeman, Fayette, Shelby, Tipton, Madison and Haywood, shall compose the Eighth Congressional District of this State.

SEC. 2. *Be it further enacted,* That Sections two, three and four of an Act of the General Assembly of this State, passed the 20th day of February, 1852, entitled "An Act to Apportion the Representation in the Congress of the United States," be, and the same is hereby revived, and the same shall govern and control all persons therein named.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 9, 1865.

CHAPTER XXXV.

AN ACT to Secure the Funds Provided for Public Education.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the present funds in coin belonging to the Bank of Tennessee, be invested by the Governor, Secretary of State and Comptroller, in United States or Tennessee bonds, and be subject to future legislative control. To be invested.

SEC. 2. *Be it further enacted*, That the Governor, Secretary of State and Comptroller of the State, be authorized to employ such agencies as they may deem necessary for the purpose, to investigate into the assets of the Bank of Tennessee, and to ascertain and schedule the amount and value thereof; and that the sum of (\$1500 00) fifteen hundred dollars, if so much be necessary, be, and it is hereby appropriated out of the Treasury of the State, to meet the services provided for by this Section. Schedule.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 9, 1865.

CHAPTER XXXVI.

AN ACT to pay the current expenses of this Session of the General Assembly, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury issue his warrant to each member of the Senate and House of Representatives for the sum stated to be due to each in the annexed Report of the Committee on Finance.

SEC. 2. *Be it further enacted*, That the Comptroller

issue his warrant to the officers of the Senate and House of Representatives, viz. : to

Officers.	E. P. Cone, Principal Clerk, Senate,	71 days,	\$426.00
	H. G. Flagg, Engrossing Cl'k,	" 71 "	426.00
	G. O. Cate, Door Keeper,	" 71 "	284.00
	H. W. Barr, Messenger,	" "	64.00
	Jas. T. Shelley, P. Cl. Ho. of Rep.,	38 "	228.00
	E. A. James, " " "	33 "	198.00
	Jos. P. Galbraith, Ast. Cl.	" 71 "	426.00
	G. W. Blackburn, Engr. Cl.	" 71 "	426.00
	A. Hill, Door Keeper,	" 71 "	284.00
	J. L. Martin, Ast. Door Kpr.	" 71 "	284.00

SEC. 3. *Be it further enacted*, That the Comptroller of the Treasury issue his warrants to the following persons for stationery, &c., &c. :

To John Wallace & Co., ninety-one dollars.
To Thomas Wells, three hundred and fifty-five dollars and fifty cents.

To William T. Berry & Co., four hundred and fifty-one dollars and sixty-five cents.

SEC. 4. *Be it further enacted*, That the Comptroller issue his warrant to Samuel R. Rodgers, Speaker of the Senate, for the benefit of Abraham Smith, a free man of color, for attending to the water-closet during the session, for the sum of two dollars per day.

A. Smith.

SEC. 5. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to Samuel R. Rodgers, Speaker of the Senate, for two hundred and eighty-four dollars for the services of David Skaggs, for attending in the Senate, as porter and messenger, seventy-one days.

D. Skaggs.

SEC. 6. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to William Heiskell, Speaker of the House of Representatives, for the sum of one hundred and forty-two dollars, and two hundred and thirteen dollars, for the services of Bryce B. Roulston and Buck Lewis, for attending upon the House of Representatives.

B. B. Roulston.
B. Lewis.

SEC. 7. *Be it further enacted*, That the Principal Clerk of the Senate shall remain a sufficient time after the adjournment to file the papers of the Senate in the office of the Secretary of State, and close his business, for which he shall be allowed his per diem ; and that the said Clerk be allowed thirty-cents per page for copying the unfinished Journal, and that the Comptroller issue his warrant for the same.

Clerk.

SEC. 8. *Be it further enacted*, That E. A. James,

Principal Clerk of the House of Representatives, shall remain a sufficient time after the adjournment, to file the papers of the House of Representatives in the office of the Secretary of State, and close his business, for which he shall be allowed his per diem; and that the said Clerk be allowed thirty cents per page for copying the unfinished Journal, and that the Comptroller issue his warrant for the same. Clerk.

SEC. 9. *Be it further enacted*, That the Comptroller issue his warrant and pay the several publishers of the city papers for the papers actually furnished the General Assembly and laid upon the tables of each member every day of the session, at the current subscription price of the same: *Provided*, said payment shall be made in accordance with a resolution passed by the present session of the General Assembly regulating the number of papers each member shall receive at the expense of the State. Newspapers.

SEC. 10. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to cover the cost and expenses of sundry articles furnished for the use of the Capitol, ordered by his predecessor. Furniture.

SEC. 11. *Be it further enacted*, That the Secretary of State cause one copy of the Acts and Journals of the present General Assembly to be bound for each member of the both Houses and the officers of the same, and distribute with the other Acts and Journals. Officers.

SEC. 12. *Be it further enacted*, That the Comptroller issue his warrant to E. P. Cone, Principal Clerk of the Senate, and E. A. James, Principal Clerk of the House of Representatives, for fifty dollars for preparing an index to Senate Journal, and fifty dollars for preparing an index to House Journal of the present session of the Legislature. Index.

SEC. 13. *Be it further enacted*, That the Governor and Comptroller, of the Treasury examine the accounts for Job Printing executed for the General Assembly, and pay the same according to the rate specified by law, out of any money in the Treasury not otherwise appropriated. Job Printing.

SEC. 14. *Be it further enacted*, That the sum of one thousand dollars be allowed the Treasurer for the purpose of procuring necessary office furniture for the preservation of the Records of his office, and that the Comptroller issue his warrant for the same. Furniture.

SEC. 15. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to E. A. James for two hundred and fifty dollars for extra Clerk hire. Clerk hire.

Furniture. SEC. 16. *Be it further enacted,* That the Comptroller issue his warrant to the Treasurer for the sum of one hundred dollars per annum, as compensation for preserving the furniture, of the Senate Chamber and the House of Representatives.

S. McCammon, deceased. SEC. 17. *Be it further enacted,* That the Comptroller of the Treasury issue his warrant to William Heiskell, for the use of the family of Samuel M. McCammon, elected as a member of the House of Representatives, who came to Nashville to take his seat, from Knoxville, but died without doing so, for eighty-three dollars and fifty cents, for his mileage from Knoxville, a distance of five hundred and twenty-two miles.

Gas. SEC. 18. *Be it further enacted,* That the Comptroller issue his warrant to the Nashville Gas Light Company for any amount due them for gas furnished at the Capitol.

Penitentiary. SEC. 19. *Be it further enacted,* That the sum of ten thousand dollars be and the same is hereby appropriated for the purpose of purchasing material, for the prisoners in the Penitentiary, so as to enable the Keeper and Inspectors to put them to work, and for the payment of the necessary expenses of said Penitentiary, and that they report to the General Assembly as to how the money has been expended, and the Treasurer pay the amount so appropriated out of any money in the Treasury not otherwise appropriated; and that the Inspectors receive five dollars per day for each and every day when engaged in the performance of their duties.

Hospital for Insane. SEC. 20. *Be it further enacted,* That the further sum of twenty thousand dollars be and the same is hereby appropriated for the expenses and support of the Tennessee Hospital for the Insane, for the current year in addition to the sums received from pay patients of that Institution.

Blind School. SEC. 21. *Be it further enacted,* That the Comptroller, under the supervision of the Governor of the State, take and state an account of the receipts and disbursements of the Superintendent of the Blind School, and on the exhibition of vouchers of a properly authenticated character, and upon being entirely satisfied that a balance is due said Superintendent, the Comptroller issue a warrant upon the Treasurer for the same; not, however, to exceed the sum of eleven hundred dollars.

SEC. 22. *Be it further enacted,* That the sum of five thousand dollars is hereby appropriated for the repair-

ing and putting into operation the Deaf and Dumb School at Knoxville, said appropriation to be under the direction of the Governor and the loyal Trustees of said Institution; and the Comptroller shall issue his warrant upon the Treasurer, from time to time, for such sums as the Governor and said Trustees may direct. Deaf and Dumb.

SEC. 23. *Be it further enacted*, That the Comptroller examine the accounts of Sampson & Co., for coal furnished the General Assembly, and, under the supervision of the Governor, issue his warrants for any amounts due them. Coal.

SEC. 24. *Be it further enacted*, That the Secretary of State be, and is hereby, authorized to employ a porter to the Capitol, at the rate of two dollars per day, to hold his office at the pleasure of the said Secretary; that the Comptroller issue his warrant to said employé, from time to time, for the amounts due him, upon the certificate of the Secretary of State. Porter.

SEC. 25. *Be it further enacted*, That the Comptroller issue his warrant to A. J. Adams for one hundred and forty dollars, for his services as Assistant Engrossing Clerk, for thirty-five days, at four dollars per day. A. J. Adams.

SEC. 26. *Be it further enacted*, That the Comptroller issue his warrant to George O. Cate, Door-keeper of the Senate, for one hundred dollars, for performing the duties of Messenger of the Senate. G. O. Cate.

SEC. 27. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to Cone & Tunnell for thirteen hundred and two dollars and forty-six cents, for Stationery furnished the two Houses of this General Assembly. Cone & Tunnell.

SEC. 28. *Be it further enacted*, That the Secretary of State be, and is hereby, authorized to furnish the Adjutant General and Quartermaster's offices with necessary stationery to carry on the business of said offices; and the Comptroller shall issue his warrant, from time to time, to the Treasurer of the State, for the necessary amounts to pay for said stationery. Stationery.

SEC. 29. *Be it further enacted*, That the Comptroller issue his warrant to Stokely, a colored man, for services in waiting on the Senate, for the sum of seventy-four dollars. Stokely.

SEC. 30. *Be it further enacted*, That the Comptroller issue his warrant for the sum of sixteen hundred and twenty-three dollars and eight cents, for repairs and other expenses.

Repairs.

SEC. 31. *Be it further enacted*, That the Comptroller issue his warrant to A. J. Fletcher, Secretary of State, for ninety dollars, for clerk hire.

Clerk hire.

SEC. 32. *Be it further enacted*, That the Board of Trustees of the Tennessee Hospital for the Insane shall audit and examine the accounts outstanding against said Institution, counted from the 14th day of March, 1862, up to the time W. P. Jones was made and appointed Superintendent; and the accounts, when so ascertained, shall, upon the order of the Chairman of the Board of Trustees, be paid; and the Comptroller shall issue his warrant for the same, to be paid out of any money in the Treasury not otherwise appropriated.

W. P. Jones.

SEC. 33. *Be it further enacted*, That section twelve of an Act passed January 19, 1838, entitled "An Act to establish a State Bank to raise a fund for Internal Improvements, and to aid in the establishment of a system of Common Schools," be, and the same is hereby, repealed.

SEC. 34. *Be it further enacted*, That section 2807 of the Code is hereby repealed.

W. Grantham.

SEC. 35. *Be it further enacted*, That Willis Grantham be allowed the sum of one hundred and forty-one dollars and sixty cents, being his mileage and per diem, as contestant for a seat in the House, up to the 12th April, 1865; and that the Comptroller issue his warrant, and the Treasurer pay the same.

Mileage, &c.

SEC. 36. *Be it further enacted*, That the Comptroller be ordered to issue his warrant for the sum of two hundred dollars, for mileage and per diem to the 13th April, 1865, to Samuel Tigh, of Shelby County, while contesting his seat in this body.

Report of the Committee on Finance, showing the mileage and per diem allowance of the members of the Senate and House of Representatives, at the first session of the thirty-fourth General Assembly, and the aggregate amount of each.

SENATORS' NAMES.	No. of Days.	Per Diem.	Miles tr'vel'd	Mileage.	Total Am't
Butler, R. R.....	71	\$284	560	\$89 60	\$373 60
Bosson, William.....	71	284	85	27 20	311 20
Bowen, John W.....	71	284	100	16 00	300 00
Cate, A. M.....	71	284	342	54 72	338 72
Cypert, Thos. J.....	71	284	800	128 00	412 00
Case, Almon.....	71	284	700	112 00	396 00
Frazer, Z. W.....	71	284	50	8 00	292 00
Frierson, J. B.....	71	284	106	16 96	300 96
Hurst, Fielding.....	71	284	1000	160 00	444 00
Hall, W. K.....	71	284	900	144 00	428 00
Keith, G. W.....	71	284	620	99 20	383 20
Lasater, Robert E.....	71	284	120	19 20	303 20
McKinney, C. J.....	71	284	660	105 60	389 60
McElwee, Thos. B.....	71	284	412	65 92	349 92
Muse, Thos. A.....	71	284	424	67 24	351 24
Nun, David A.....	Did	not	take	his	seat.
Peart, B. R.....	71	284	180	20 80	304 80
Randolph, J. H.....	71	284	570	91 20	375 20
Senter, D. W. C.....	71	284	576	95 36	379 36
Spence, William.....	71	284	60	9 60	293 60
Smith, J. W.....	71	284	1000	160 00	444 00
Trimble, John.....	71	284	.....	.....	284 00
Wisener, W. H.....	71	284	126	20 16	304 16
Rodgers, S. R., Speak'r	...	.....	.....	.....	.....
Vincent Myers.....	...	.....	620	99 20	99 20
REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles tr'vel'd	Mileage.	Total Am't.
Anderson, G. W.....	71	\$284	200	\$32 00	\$316 00
Arnell, S. M.....	71	284	100	16 00	300 00
Barton, Wm.....	71	284	88	14 08	298 08
Bond, Wm. P.....	Did	not	take	his	seat.
Brittle, Gilbert.....	71	284	90	14 40	298 40

REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles tr'v'd	Mileage.	Total Am't.
Cowart, R. H.....	71	\$284	560	\$87 60	\$373 60
Cooper, Ed.....	71	284	126	20 16	304 16
Crutchfield, Thos.....	Did	not	take	his	seat.
Copeland, W. J.....	71	284	390	52 40	336 40
Carter, S. J.....	71	284	.....	.....	284 00
Dillen, Jos. R.....	33	132	600	96 00	228 00
Duggan, Wilson.....	71	284	600	96 00	380 00
Donaldson, J. H.....	71	284	400	64 00	348 00
Dowdy, Rufus.....	30	120	320	51 20	171 20
Doughty, Jas. A.....	71	284	560	89 60	373 60
Elliott, W. Y.....	71	284	60	9 60	293 60
Fuson, Jno. A.....	71	284	120	19 20	303 20
Faulkner, Asa.....	71	284	150	24 00	308 00
Gaut, Jesse H.....	71	284	360	57 60	341 60
Grove, G. H.....	71	284	596	95 36	379 36
Gillem, A. C.....	15	60	.....	.....	60 00
Garner, W. A.....	71	284	180	28 80	312 80
Gilmer, Jeremiah.....	71	284	120	19 20	303 20
Gaines, G. W.....	71	284	446	71 36	355 36
Garrett, A. E.....	71	284	240	38 40	322 40
Griffith, Sam. E.....	71	284	720	115 20	399 20
Grimmett, W. A.....	71	284	90	14 40	298 40
Hood, Jas. R.....	71	284	302	48 32	332 32
Henderson, J. M.....	71	284	418	66 88	350 88
Hermans, Theodore..	71	284	108	17 28	301 28
Hudson, Joseph.....	71	284	50	8 00	292 00
Inman, Charles.....	17	68	600	96 00	164 00
Jones, Turney.....	35	140	624	99 84	239 84
Jones, James.....	71	284	672	107 52	391 52
Jarvis, L. M.....	71	284	650	104 00	388 00
Kercheval, T. A.....	71	284	180	28 00	312 80
Maxwell, Thomas.....	71	284	800	128 80	412 00
McNair, J. E.....	71	284	800	128 00	412 00
Minnis, J. B.....	71	284	572	91 52	375 52
Mason, Thos. G.....	71	284	472	75 52	359 52
Mulloy, J. S.....	71	284	90	14 40	298 40
Mullunix, Wm.....	43	172	744	119 04	291 04
Moss, A. W.....	71	284	36	5 76	289 76
Melton, Jas. M.....	71	284	600	96 00	380 00
Mullins, James.....	71	284	126	20 16	304 16
Norman, John.....	71	284	500	80 00	364 00
Nicks, A. D.....	71	284	.....	11 20	295 20
Puckett, I. N.....	71	284	110	17 60	301 60

REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles tr'v'd	Mileage.	Total Am't.
Porter, John.....	71	\$284	800	128 00	\$412 00
Pearson	Did	not	take	his	seat.
Rogers, Reuben.....	71	284	606	96 36	380 36
Raulston, R. S.....	71	284	252	40 32	324 32
Ryder, M. T.....	71	284	1000	160 00	414 00
Richards, P. S.....	71	284	1000	160 00	444 00
Shultz, J. R.....	71	284	640	102 40	386 40
Simmons, W.....	71	284	164	26 24	310 24
Smith, W. J.....	71	284	1100	176 00	460 00
Smith, F. A.....	71	284	550	88 00	372 00
Steele, Abner A.....	71	284	130	20 80	304 80
Snodderly, A. A.....	71	284	580	92 80	376 80
Simmerly, E.....	71	284	760	121 60	405 60
Steagald, John.....	71	284	744	159 04	403 04
Scales, William..	71	284	300	48 00	332 00
Thornburgh, D. G.....	71	284	572	91 52	375 52
Tighe, Samuel.....	.....	40	1000	160 00	200 00
Thomas, J. F.....	71	284	140	22 40	306 40
Thomas, Dorsey B....	71	284	134	21 44	305 44
Underwood, C.....	71	284	500	80 00	364 00
Williams, Pleas.....	71	284	774	123 84	407 84
Willis, W. W.....	71	284	660	105 60	389 60
Wagner, Joseph.....	71	284	822	131 52	415 52
Waters, Wallace.....	71	284	1196	191 36	475 36
Warren, S. L.....	71	284	240	38 40	322 40
Waters, Wilson L.....	71	284	90	14 40	298 40
Wines, William.....	71	284	130	20 80	304 80
Woodcock, W. M.....	71	284	150	24 00	308 00
Wright, William.....	71	284	52	8 32	292 32
Woods, James..	.....	.....	.....	.....	.....
Walker, John P.....	71	284	370	59 20	343 20
Woods, W. W.....	.....	.....	.....	.....	.....

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 10, 1865.

CHAPTER XXXVII.

AN ACT to Change the Eleventh, Twelfth and Fourteenth Judicial Circuits of this State, and for other purposes.

12th Circuit. SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the counties of Wayne, Hickman, Perry, Decatur, Henderson, McNairy and Hardin, shall compose the Twelfth Judicial Circuit.

15th Circuit. That the counties of Lawrence, Giles, Maury, Lewis and Marshall, shall compose the Eleventh Judicial Circuit; and that the Circuit Courts in the County of Lawrence shall hereafter be held on the fourth Mondays in February, June and October, and that the counties of Haywood and Madison shall be attached to the Fifteenth Circuit; and the Fourteenth Judicial Circuit is hereby abolished.

14th abolished. SEC. 2. *Be it further enacted*, That hereafter the Circuit Courts for the Twelfth Circuit shall be holden as follows: In Henderson County, first Mondays in March, June and September; McNairy, second Mondays in March, June and September; Hardin, third Mondays in March, June and September; Wayne, fourth Mondays in March, June and September; Hickman, fourth Mondays in April, July and October; Decatur, first Mondays in May, August and November.

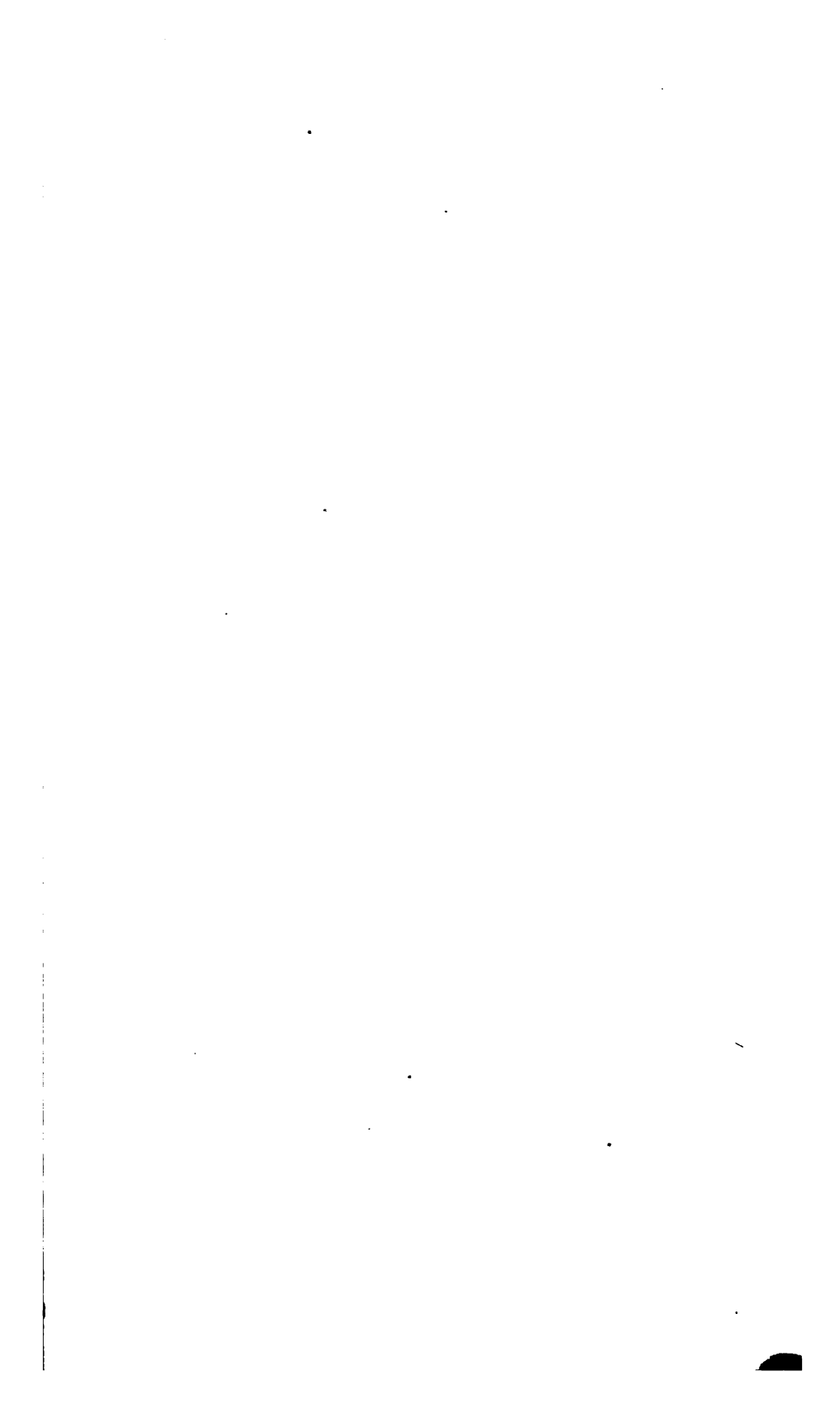
Time of holding Courts.

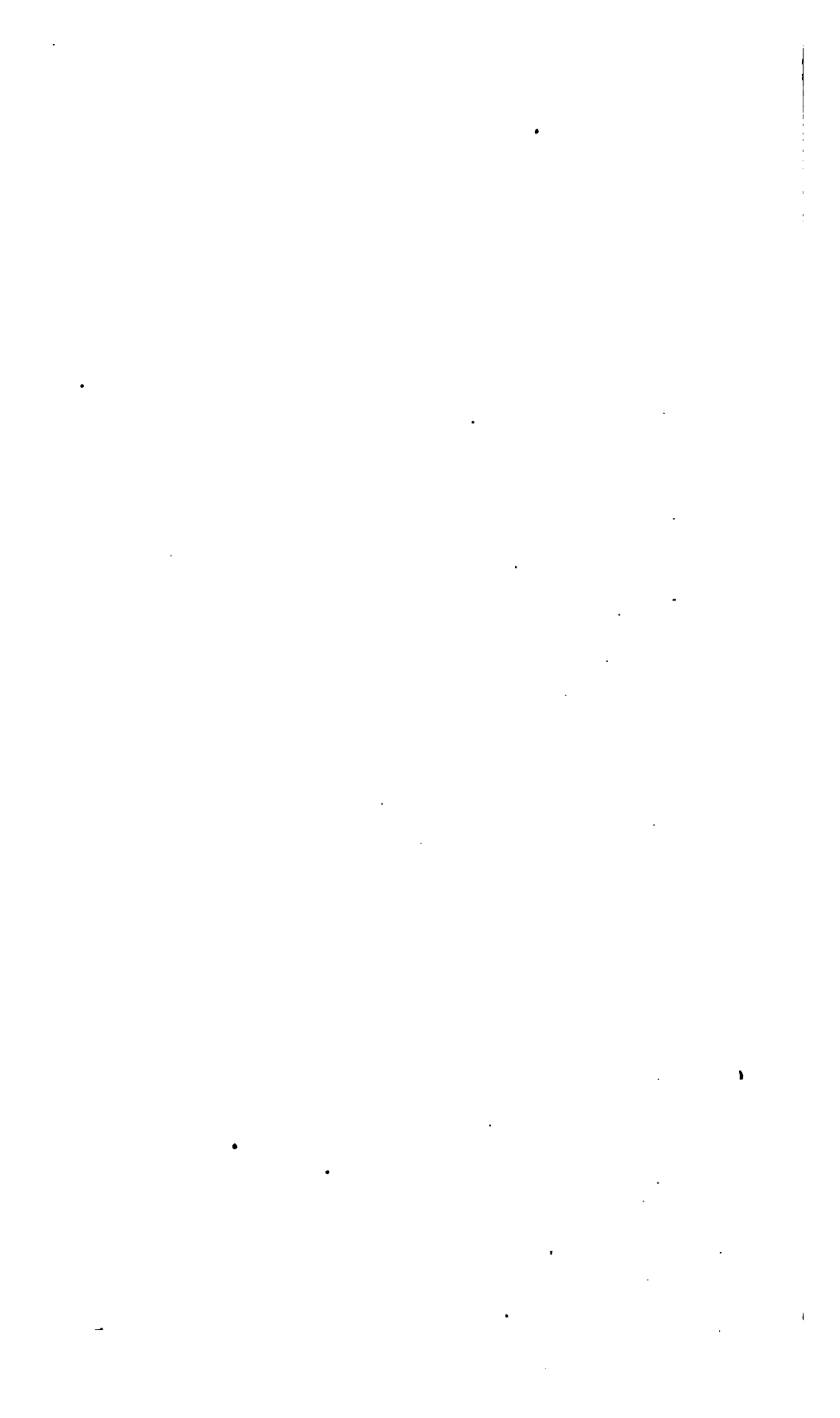
SEC. 6. *Be it further enacted*, That this Act shall take effect from the date of its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 10, 1865.





PRIVATE ACTS.

CHAPTER I.

AN ACT for the benefit of J. G. Frazier, Clerk of the Supreme Court for the Middle District of Tennessee.

Be it enacted by the General Assembly of the State of Tennessee, That the Treasurer of the State of Tennessee pay to J. G. Frazier the sum of two hundred dollars, out of any money in the Treasury not otherwise appropriated. This Act to take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 1, 1865.

CHAPTER II.

AN ACT to Incorporate the East Tennessee Iron, Coal and Petroleum Company.

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee,* That John Caldwell, John Baxter, W. R. Patterson, L. S. Trowbridge, and R. H. Armstrong and their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name and style of the East Tennessee Iron, Coal and Petroleum Company, and by that name shall have succession for ninety-nine years, and shall be competent to sue and be sued in any Court of Equity or Law whatever; to have and use a common seal, and to alter the same at pleasure: to establish and change any by-laws for the govern

Powers.

ment of said company; to purchase, hold and dispose of such real estate, leases, mines, minerals, iron, coal oil, and personal property as may be necessary for the legitimate transaction of their business; to mine, forge, roll, smelt, work, manufacture, refine and vend said minerals, coal, iron, oil and products thereof, and issue such numbers of shares of the stock of said company at the representative par value thereof, as may be ordered by a vote of said company, to determine the par value of shares, and have the right to pay in shares of stock of the corporation for such mining interest or interests in all real estate, as may be necessary to purchase or lease for the operation of the works of the company; and generally to have, enjoy and exercise all rights and privileges incident to corporations, except the right to issue notes or engage in banking.

Branches.

SEC. 2. *Be it further enacted*, That whenever said company shall become possessed of mines or minerals, lands or leases, iron, coal or petroleum, or leases, situated in this State, or elsewhere, a separate and distinct interest of each mine, bed, field, vein, or deposit, or lease, may be created under some name to distinguish the same, and in like manner may organize under and enjoy, as a distinct branch interest, all the rights and privileges named in the first Section of this Act.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed May 12, 1865.

CHAPTER III.

AN ACT to Incorporate the Raulston Oil and Salt Company.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Hugh L. W. Raulston, George F. Smith, D. H. Throup, J. M. Judson, Samuel Canby, D. T. Cockrill, S. H. Judson, Charles B. Ingles, and R. S. Raulston, and their associates, successors and assigns, be, and they are hereby constituted a body corporate and politic, by the name and style of the "Raulston Coal, Iron, Oil and Salt Company," and

by that name and style shall have succession, with power to contract and be contracted with, sue and be sued in that name, in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and with manufacturing, refining and selling oil, salt, and other products of said business, and of the lands owned, or which may hereafter be owned by them, in this State; to hold their meetings, and transport and sell their oil, salt and other products, within or without the State, and to have all other powers needful and proper for the successful prosecution of the business, and for the execution of the power herein granted.

SEC. 2. *Be it further enacted*, That said corporation may organize said company by the appointment of a President, and such other officers and managers as they may deem necessary, at such times and places as they may designate by notice previously given, and when thus organized, the said company shall have power to make such by-laws, rules and regulations as they may deem necessary from time to time for the government and prosecution of the business of said corporation, not inconsistent with the Constitution and laws of the United States and of this State.

Organization.

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be two hundred and fifty thousand dollars, and that said Company shall have power to increase the same, from time to time, not exceeding one million dollars.

Capital.

SEC. 4. *Be it further enacted*, That said Company may buy, lease or rent, any suitable lands, mines, oil or salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise. They may receive real estate, households, mining and boring rights, and rights of way, in payment of such part of subscription as they may deem advisable. Said Company may erect and build on any of the lands, such buildings, engines, machinery and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation.

Powers.

SEC. 5. *Be it further enacted*, That this charter shall expire or cease at the expiration of ninety-nine years after its passage, and the right to repeal, alter or amend this charter is reserved to the General Assembly.

SEC. 6. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed upon similar corporations in this State.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 25, 1865.

CHAPTER IV.

AN ACT to develop the various Oil and Mineral interests of the State of Tennessee, and for other purposes.

Corporators.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That D. C. Trewitt, James R. Hood, Thos. W. Yarley, P. M. Ferrington, John A. Spooner, A. A. Pearson, Edward S. Jones, William E. Merrill, George D. Emerson, and Freemorton Young, who now constitute a voluntary association under the name and style of "The East Tennessee Petroleum Company," and their successors, be, and are hereby incorporated a body politic, under the name and style of "The East Tennessee Petroleum Company;" under and by which name said body politic shall transact its business, and by which name said Corporation shall be known, sue and be sued, plead and be impleaded, and shall have a common seal.

SEC. 2. *Be it further enacted*, That said Corporation, as such, is hereby freely authorized and empowered to acquire by lease or purchase, any and all such lands and mineral interests for the purpose of raising, producing, and manufacturing Petroleum, Coal, Iron, Salt, Silver, Copper, and any and every other valuable mineral within the State of Tennessee, and such other places as said Company may deem to their interest; and do and perform any and all such other acts and things as may be necessary and expedient to prosecute successfully the business of said Corporation.

SEC. 3. *Be it further enacted*, That said Company shall also have power, for the government of said Company and its business, to elect one President and such other officers as said Company may desire and deem expedient, and prescribe their qualification and term of office. Election.

SEC. 4. *Be it further enacted*, That the principal office of said Company shall be at Chattanooga, with power vested in the Company to establish such Branches at such other places as they may direct and also to change the principal office of the Company at such time, and to such other place as the Directors or the Company may desire. Office.

SEC. 5. *Be it further enacted*, That the capital Stock of said Company shall be one million dollars, divided into one hundred thousand shares of ten dollars each. This Company shall have and is hereby invested with power to make such by-laws, rules and regulations, consistent with the charter, as they may see proper for the government and control of the Company. The Company has power to re-open books for subscription and sale of stock, and other purposes, at such times places and manner as the Directors may direct, and may make such sales and transfers of stock as the Directors of the Company may direct. Capital Stock

SEC. 6. *Be it further enacted*, That this Company shall have power to increase the capital stock of the Company to any amount, and at any time the Company may desire to do so, to the extent of five millions dollars.

SEC. 7. *Be it further enacted*, That this corporation franchise and privilege shall continue, be and exist for the period of ninety-nine years to the persons above named as incorporated and their successors.

SEC. 8. *Be it further enacted*, That the property and effects and vested rights of the several parties herein incorporated as they exist under said voluntary association are hereby transferred to and secured to this Corporation.

SEC. 9. *Be it further enacted*, That the stockholders are, jointly and severally, individually liable, at all times, for all moneys due and owing to their laborers, employees, and apprentices, for services performed for such Corporation. Liability.

SEC. 10. *Be it further enacted*, That this Corporation shall be subject to such taxes as may be imposed on similar Corporations.

SEC. 11. This Act to take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 30, 1865.

CHAPTER V.

AN ACT to Incorporate the Bridgeman Oil and Salt Company.

Powers.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Benjamin F. Bridgeman, David Clege, and their associates, successors and assigns, be, and they are hereby constituted a body corporate and politic, by the name and style of "Bridgeman Coal Oil and Salt Company;" and by that name and style shall have succession for ninety-nine years, with power to contract and be contracted with; sue and be sued in that name, in all Courts and places; to have a common seal; to engage in mining and boring for Petroleum or Rock Oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting and selling Oil and Salt, and other products of said business, and of the lands now owned or which may hereafter be owned by them in this State; to hold their meetings and transport and sell their Oil, Salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business and for the execution of the powers herein granted.

Organization.

SEC. 2. *Be it further enacted*, That said Corporation may organize said Company by the appointment of a President and such other officers and managers as they may deem necessary at such time and place as they may designate by notice previously given; and when thus organized, the said Company shall have power to make such by-laws, rules, and regulations as they may deem necessary from time to time, for the government and prosecution of the business of said Corporation, not inconsistent with the Constitution and laws of the United States and of this State.

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be two hundred and fifty thousand dollars, and said Company shall have power to increase the same from time to time, not exceeding one million of dollars. Capital:

SEC. 4. *Be it further enacted*, That the said Company may buy, lease, or rent any suitable lands, mines, oil and salt rights and privileges, rights of way and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise. They may receive real estate, leaseholds, mining and boring rights, and rights of way in payment of such part of subscriptions as they may deem advisable. Said Company may erect and build on any of their lands such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said Corporation. Powers.

SEC. 5. *Be it further enacted*, That this charter shall expire at the expiration of ninety-nine years from its passage, and that the right to repeal, alter, or amend this charter is reserved to the General Assembly. Term.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 30, 1865.

CHAPTER VI.

AN ACT to charter the Tennessee Express Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. Blizard, M. L. Phillips, G. W. Ross, and their associates, are hereby incorporated as a body politic and incorporate, under the name and style of the "Tennessee Express Company," for the purpose of carrying and shipping goods, wares, and merchandise, letters and private matter, money, or any thing else which may be desired of said Company to carry, ship, or transport on any Railroad or Railroads in the State of Tennessee or elsewhere.

Capital. SEC. 2. *Be it further enacted,* That the capital stock of said Company shall be ten thousand dollars, more or less, as may be necessary to carry out the object of said Company, and one hundred dollars shall constitute one share of stock in said Company, and so soon as said sum of ten thousand dollars shall have been subscribed, the Company may meet at such time and place as they may deem proper, for the purpose of electing a President, Secretary and Treasurer, who shall forever thereafter hold their offices for one year and until their successors are elected and qualified; and by that name shall be capable in law and equity of purchasing, holding, selling, leasing and conveying estate, real, personal, and mixed, so far as the same may be necessary for the purposes of said Corporation to carry on and conduct the business of said Company, to the advantage of the stockholders; and by that name may sue and be sued and plead and be impleaded, and shall exercise all the powers, rights, privileges, and immunities which other corporate bodies may lawfully do for the purposes mentioned in this Act.

Election.

Powers.

SEC. 3. *Be it further enacted,* That the officers mentioned in the second section of this Act, shall be elected by the stockholders of the Company, and each stockholder shall be entitled to cast one vote in person or by proxy for each share of stock owned by him; and the President, Secretary, and Treasurer shall be stockholders of said Company, and the Company shall have power to make such by-laws and rules as they may deem proper for the government of the Company and the business thereof, not inconsistent with the Constitution and laws of this State or of the United States, and shall also have power to use a common seal and to alter or change the same at pleasure.

Voting.

By-Laws.

SEC. 4. *Be it further enacted,* That it shall be the duty of said Company to keep all such books as may be necessary for the transaction of its business, and all transfers of stock by any stockholder shall be made upon the books of said Company, for the inspection of all the stockholders, and a majority of all the stockholders—including the President—at any meeting, shall be competent to act and transact the business of the Company.

Books.

SEC. 5. *Be it further enacted,* That said Company shall be deemed and held liable for any loss or damage caused by the negligence, carelessness, or willful misconduct of the same, or any of its officers, agents, or

Liability.

employees, to be recovered by any person aggrieved thereby.

SEC. 6. *Be it further enacted*, That it shall be the duty of said Company to carry and convey all goods, wares, and merchandise and packages received by them for shipment, in the turn in which the same was received by them, and in default thereof, and loss or damage is sustained by the owner of the same, said Company ^{Duty.} shall be held liable for such injury: *Provided*, such delay or irregular shipment was not caused by the request of the owner of said goods or packages, or his agent. And said Company or agents shall receipt the owner, for all goods or packages whatever, when received.

SEC. 7. *Be it further enacted*, That nothing in this Act shall be so construed as to give Banking privileges to said Company.

SEC. 8. *Be it further enacted*, That the right to alter, change or repeal this Act, is hereby reserved to any subsequent Legislature.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS.

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER VII.

AN ACT to incorporate the Memphis Ladies' Institute, of Memphis Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. D. Williams, Mrs. F. P. McGehee, and Mrs. M. P. Southworth, be and they are hereby constituted a body corporate and politic, under the name and style of "The Memphis Ladies' Institute, of Memphis, Tennessee," and shall have succession for a period of ninety-nine years, unless said Corporation is sooner dissolved; and shall have all the powers and be subject to all the obligations and restrictions incident to private corporations, as provided in Article 4, Chapter 2, and Title 9 of the Code of laws of the State of Tennessee. ^{Powers.}

SEC. 2. *Be it further enacted*, That said Corporation is hereby authorized to confer such literary honors and degrees as are usually conferred by the Colleges and Universities of the United States, and in testimony thereof to grant diplomas under the seal of said Corporation: *Provided*, this power and authority shall be under legislative control.

Bible.

SEC. 3. *Be it further enacted*, That in said Institution, and in all literary societies connected therewith, the Bible shall be the standard of morals, and no officer or teacher shall use his or her influence for sectarian or party ends or purposes.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 5, 1865.

CHAPTER VIII.

AN ACT to incorporate the Tennessee Colonial Company for the purpose of promoting emigration, to establish Vineyards, develop the Mineral and other resources of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George M. Mowbray, of Titusville, Pennsylvania; George Wade, of the city of New York; Henry Wise, of New Jersey; A. B. Shank in and Dr. Hudson, of the city of Nashville, Tennessee, and their associates and successors, be and they are hereby created a body politic and corporate, by the name and style of the "Tennessee Colonial Agricultural, Mining and Manufacturing Company;" and by that name shall have succession for ninety-nine years, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary and proper to carry out the provisions of this Act and promote the objects and designs of this Corporation.

Powers.

Capital Stock.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be two hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, to be divided into shares of fifty dollars each, and the persons above named shall open books for the subscription of stock, and when

fifty thousand dollars shall have been subscribed, the stockholders may meet and elect five directors, and said directors shall elect one of their number President, and also a Secretary.

SEC. 3. *Be it further enacted*, That the officers of said Company shall be managed by a Board of Directors consisting of not less than five stockholders and such agents and officers as they may appoint. The President and Secretary shall be elected annually by the Directors, and all vacancies happening in said Board, or in any of said offices, may be filled by the acting Directors for the remainder of the term for which they are elected or appointed. The Board shall establish or change any by-laws for the government of said Company, which by-laws shall not be inconsistent with the Constitution of the United States, or the Constitution and laws of the State of Tennessee.

SEC. 4. *Be it further enacted*, That the said Company shall have full power to purchase, hold, and dispose of real estate, lease lands, and do all that is necessary for the welfare and promotion of the Tennessee Colonial, Agricultural, Mining and Manufacturing Company, viz.: That said Company may raise vineyards and do a general mining, boring, and manufacturing business on lands owned and leased by said Company, to mine, bore, forge, roll, smelt, manufacture, transport, and vend in wines, minerals, coal, iron, salt, oil, &c. The land to be held by the Company shall form a common stock, and shall be divided into shares of fifty dollars each, and apportioned by the said Company among the owners and subscribers of said stock according to their respective interests.

SEC. 5. *Be it further enacted*, That the officers and stockholders of said Company and those emigrating on their lands, shall enjoy all the rights, privileges, and protection guaranteed by the State of Tennessee under the Constitution of the United States.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 5, 1865.

CHAPTER IX.

AN ACT to incorporate the Cairo and New Orleans Pilot's Benevolent Association.

WHEREAS, a number of Steamboat Pilots, engaged in the navigation of the Mississippi river, have formed an association for the laudable purpose of increasing the skill and information, improving the character and habits, and promoting the interests of all those pilots intrusted with the control and safety of steamers and other vessels; and

WHEREAS, the immense and increasing commerce and navigation of the said river demands that suitable legislative encouragement should be given by this General Assembly to intelligent and judicious efforts to lessen the dangers of the transportation of persons and property upon the said river; and

Preamble.

WHEREAS, the intrusting of the vessels used in said navigation only the care of sober, attentive, skillful, and experienced pilots, who have had a regular and thorough training in the business, would greatly tend to enhance the security of life and property constantly at risk on the steamboats and other vessels plying upon the Western rivers; therefore, in order to further the objects and encourage the efforts of an institution so useful and praiseworthy as the above-named Association, and to give efficiency, perpetuity and dignity to the same—

Powers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Harrison Blasdel, J. W. Pittman, James D. Perry, Green S. Snow, F. B. Montany, James W. Sayers, William Huston, W. C. Page, Garrison Wasson, James C. Rhoads, W. A. Wilds, W. A. Hale, and their associates and successors, are hereby created a body corporate and politic, by the name and style of the "Cairo and New Orleans Pilot's Benevolent Association," and by that name shall have succession for a period of twenty years, and shall be capable of suing and being sued, both at law and in equity, in all courts and places whatsoever; and that they and their successors may have a common seal, and may alter, change, or destroy the same at will; and shall also be capable of acquiring, holding, conveying, and pledging property, real, personal, and mixed, as may be required for the purpose of the Association.

SEC. 2. *Be it further enacted*, That said corporation

shall have power to make a constitution and by-laws, and to alter, change, or annul the same at pleasure, in whole or in part: *Provided*, That nothing therein contained shall be repugnant to the constitution and laws of this State or of the United States.

SEC. 3. *Be it further enacted*, That said corporation shall have power to erect a hall and buildings suitable for its uses; to purchase, own, and enjoy a good library, philosophical, chemical, and other apparatus, and such things as may be calculated to advance the objects contemplated by this charter, which shall be exempt from taxation; to procure the delivery of lectures; to found and maintain a school; to grant diplomas, and to withdraw and annul the same; to impose fines upon its members for the breach of any of the provisions of the constitution or by-laws of this Association; to levy contributions upon members; to create a fund to be applied to the relief of indigent or distressed members, or their families, and to the other objects named in this section; to censure, suspend, fine, or expel a member, for any good cause, calculated to bring discredit upon said Association; and generally to do all such other good things as may be necessary to carry out the objects of this Association.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 5, 1865.

CHAPTER X.

AN ACT incorporating the Great South-Western Oil and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James W. Milroy, William Glenny, Shela Waters, James G. Pratt, Benjamin Gonzales, and their associates, successors, and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "Great South-Western Oil and Mining Company," and by that name and style shall have succession for ninety-nine years, and shall be competent to sue, and be sued in any court of law or equity whatever; to have and

use a seal, and alter the same at will; to make and change any by-laws necessary for the government of the Company; to purchase, hold, and dispose of such real estate, leases, mines, minerals, iron, coal, oil, and personal property as may be necessary for the legitimate transaction of their business; to mine, forge, roll, smelt, work, manufacture, refine and sell said minerals, coal, iron, oil, or other products thereof, in or out of this State, and issue such number of shares of stock of said Company at the representative par value thereof, as may be ordered by a vote of said Company; to determine the par value of shares, and have the right to pay in shares of stock of the corporation for such mining interests in real estate or machinery for manufacturing as may be necessary to purchase or lease for the successful management of the business of said Company; and generally to have, enjoy and exercise all rights and privileges incident to corporations, except the right to issue notes or engage in banking.

Branches.

SEC. 2. *Be it further enacted*, That whenever said Company shall become possessed of mines, minerals, lands, or leases, situated in this State or elsewhere, a separate and distinct interest of each mine, lead, field, lien, deposit or lease may be created under such name as may be adopted, to distinguish the same, and in like manner may organize under, and enjoy as a distinct branch interest, all the rights and privileges named in the first section of this Act.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 5, 1865.

CHAPTER XI.

AN ACT to change a Railroad Fund into a County Fund, for Blount County.

WHEREAS, an Act was passed by the General Assembly of the State of Tennessee, on the 27th of January, 1854, to authorize the County Court of Blount

County, through their Chairman, to subscribe stock to the Knoxville and Charleston Railroad Company, and levy a tax on said County to pay the same on certain conditions; and

WHEREAS, the County Court of said County, in good faith, did subscribe said stock, and levy said tax, and proceed to collect the same, to the amount of eight or ten thousand dollars, in the years 1855, 1856, 1857, and 1858, and the same was collected and paid over to the County Treasurer, as provided by said Act; and Preamble.

WHEREAS, the Railroad Company failed to carry out the provisions of said Act, as specified therein, the courts of said County did then proceed to loan said fund, which was done, taking notes with approved security; and

WHEREAS, said fund is still lying in said condition, and likely to be lost, or a portion of it; therefore—

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the fund as set forth in the foregoing preamble, collected under the Act as set forth, may be changed from the Railroad Fund into a County Fund, for the use and benefit of Blount County, and to be under the control and management of the County Court of Blount County as a general County Fund. Changed.

SEC. 2. *Be it further enacted*, That it shall be the duty of the County Court of Blount County, at the first quarterly term after the passage of this Act—and a certified copy of the same being present—to appoint or elect a suitable person to collect said fund, in the name of the Chairman of said County Court, according to the face of the notes, as executed by the parties borrowing said fund, which notes are now in the hands of the Trustee of said County. County Court.

SEC. 3. *Be it further enacted*, That it shall be the duty of said County Court to require such person so appointed or elected, to give bond and approved security for his faithful performance in the collection and paying over said fund into the County Treasury, as other County moneys. Bond.

SEC. 4. *Be it further enacted*, That the County Court of said County allow said collector a reasonable allowance for his services, not to exceed six per cent. on the amount collected. Allowance.

SEC. 5. *Be it further enacted*, That it shall be the duty of said Court to require the Trustee of said County to give bond and approved security for the Bond.

faithful keeping and paying over said fund, according to the order of said Court.

SEC. 6. *Be it further enacted*, That nothing in this Act shall be construed so as to interfere with the original Act passed on the 27th day of January, 1854. This Act is only intended to change that part of the fund collected under said Act and paid into the Treasury of Blount County in the years of 1855-'6-'7-'8, and no further.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 5, 1865.

CHAPTER XII.

AN ACT to incorporate the Tennessee Fire and Marine Insurance Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That B. W. Sharp, Rual Hough, James E. Murryman, John W. Leftwick, Calvin Kelsey, L. Helman, and Frank Taff, of the city of Memphis, together with those who may hereafter become stockholders, as herein after provided for, are hereby created a corporation and body politic, by the name and style of the President and Directors of the "Tennessee Fire and Marine Insurance Company," and shall continue from the first day of May, 1865; and by that name are hereby made capable and able at law to have, purchase, receive, possess, and enjoy, retain and control to them and their successors, land, tenements, rents, goods, chattels, and effects, to an amount not exceeding two hundred thousand dollars, and the same to sell, convey, and dispose of; to sue and be sued, to plead and be impleaded, answer and be answered, defend and be defended, in all courts and places in this State or elsewhere; may make and use a common seal, and the same to break, alter or renew at will; to ordain, establish, and put into execution such by-laws, ordinances, and regulations as shall be deemed necessary and convenient for the government of said Cor-

poration, not contrary to the laws of this State, and generally to do all acts and things that a corporation may lawfully do.

SEC. 2. That the persons named in the first section of this Act, or a majority of them, shall open books of subscription for the stock in said Company, which stock shall consist of two thousand shares of one hundred dollars each, payable in the lawful currency of the United States, and at the time of subscribing they shall have the right to demand and receive twenty dollars on each share subscribed for, and have secured the residue to the satisfaction of the Corporation, payable in six and twelve months, which obligations may be renewed from time to time, either in whole or in part, or for such portion thereof as the President and Directors of the Company shall determine, and it shall be the duty of the President and directors to give at least thirty days notice of any call which they may make for the payment of the capital stock so subscribed, and if any stockholder shall fail to meet said call, or to secure the payment of the remainder as aforesaid, it shall be lawful for the President and Directors to sell such delinquent's shares and transfer the same to the purchaser, or declare the same forfeited to the Company, together with all previous payments thereon. No transfer of stock shall be deemed valid and complete so long as the person transferring the same shall be indebted to the said Company, until the amount for which he is indebted to the said Company is secured to the satisfaction of the President and Directors thereof, and the stock of every stockholder shall be held as collateral security for the payment of whatever sum he may be indebted by notes or otherwise to said Company. Books.

SEC. 3. That the share or stockholders, shall meet at the place of opening the books for the subscription of stock in said Company on the first day of August, 1865, and at the office of the Company on the first Monday of August in each succeeding year thereafter, and elect a President, Vice President, and seven Directors, who shall continue in office until the first Monday in August of each ensuing year, and until their successors shall have been elected, of which said election previous notice shall be given in a newspaper printed in the city of Memphis, for at least two weeks previous to said election. Any vacancy that may occur in the Board of Directors shall be filled by the President and Directors until the next annual election. Election.

No person shall be a Director who is not the owner of at least ten shares of the capital stock.

SEC. 4. That in all elections by the stockholders each share to the number of five, shall be entitled to one vote, and every ten shares in addition shall entitle the holder to one additional vote. That no person who is not a resident of the State of Tennessee shall have the right to vote at any election for President and Directors, unless he shall have been the holder or owner of stock at least six months previous to such election by a regular transfer upon the books of the Company; but shares may be voted upon by the executors or administrators of a deceased owner and by proxy.

Directors.

SEC. 5. That the President and Directors for the time being may and shall have power to appoint such officers and agents under them at such places as shall be necessary for executing the business of said Company, and to allow such compensation therefor as may be agreed upon, and to require and take bond and security for the faithful performance and discharge of their respective duties and trust. And the said President and Directors shall have power to make by-laws and ordinances to govern the Corporation, and may repeal, alter and amend the same. The President and three Directors shall constitute a quorum to do business, or five Directors in the absence of the President, one of whom shall be Vice President, may do and perform all such acts as might be done and performed by the President and the quorum aforesaid.

Rate.

SEC. 6. That the President and Directors for the time being shall have power and authority in the name of the Company to make Insurance at such rate of Insurance premium or interest as may be agreed upon by the parties, upon buildings, machinery, manufacturing establishments, goods, wares, and merchandise of every description, of all classes and qualities of property transported by land or water in the United States; also to make Insurance on steamboats and other watercraft used for transportation of goods, wares and merchandise therein contained and to be transported or shipped and to make all such proper contracts for the Insurance of other valuable property as may be embraced within the name of personal property, and all such contracts shall be in writing or printed, and shall be made by the authority of the Company, by and through their proper and legally constituted officers and agents appointed for that purpose.

SEC. 7. It shall be the duty of the President and Directors on the first Monday of August and March in each year to make a dividend of so much of the profits of said Corporation as to them or a majority of them shall appear advisable; and in any case of loss or losses, whereby the capital stock of the Corporation shall be impaired or lessened, ^{Dividend.} no subsequent dividend shall be made until a sum equal to such diminution, arising from the profits of said Corporation, shall have been added to the capital stock of said Corporation.

SEC. 8. Said Corporation shall not commence business to the making or issuing of any policies of Insurance until two hundred shares are subscribed and paid for, or secured to be paid, as provided for in the second section.

SEC. 9. That whenever said Company shall be notified of any loss sustained which may be covered by any policy of insurance granted or issued by the same, it shall be the duty of said Corporation to pay the ^{Losses.} amount so lost or insured in such policy within sixty days after being so notified; *Provided* there shall have been no violation of the condition of the policy on the part of the insured.

SEC. 10. Said Corporation shall be subject to such tax as may be imposed on similar corporations.

SEC. 11. *Be it enacted*, That John Wilson, Anson Nelson, John Lumsden, and David C. Love, and their associates shall be and are hereby declared a body politic and corporate by the name and style of the State Insurance Company of Nashville, and by that name shall be intrusted with all the powers, rights, privileges and emoluments conferred upon the Tennessee Marine and Fire Insurance Company of Memphis. ^{State Insurance Company.}

SEC. 12. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 5, 1865.

CHAPTER XIII.

AN ACT to Incorporate a Literary Society of Nashville, known as the "Agnomen Club."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Society of young men of the city of Nashville, organized in March, 1865, and known as the "Agnomen Club," having for its object the general promotion of the Arts, Literature, Science, and the Amateur Drama, as well as the moral improvement of its members, be incorporated under the name of "The Agnomen Club."

By-Laws.

SEC. 2. *Be it further enacted*, That said Club shall make such rules and by-laws for the regulation of its business and the conduct of its members, as it may see fit, not conflicting with the laws of the State or the city of Nashville.

SEC. 3. *Be it further enacted*, That said Club shall be empowered to give such Amateur Dramatic entertainments, open to the public at such times and places as may be designated by it members, not inconsistent with the laws of the State or city of Nashville.

SEC. 4. *Be it further enacted*, That nothing in this Act shall be so construed as to give to the Club so incorporated the privilege of public exhibition for money, unless they shall first pay the tax, as now provided by law, for exhibitions of a similar character.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XIV.

AN ACT to Authorize and Instruct the Comptroller of the Treasury to Audit, and the Treasurer to Pay, the Salary due the Hon. Samuel D. Frierson, Chancellor.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury shall audit, and the Treasurer of the State shall pay, the quarterly salary due on the 4th March, 1862, and on the 4th day of June, 1862, to the Hon. Samuel

D. Frierson, Chancellor of the Fourth Chancery Division of the State, because of the same never having been paid, and because of his well-established loyalty to the Government of the United States, and to the State of Tennessee.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June, 6, 1865.

CHAPTER XV.

AN ACT to Amend an Act passed on the 26th of February, 1858, entitled
 "An Act to Charter the Cleveland and Ducktown Railroad."

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter granted to the Cleveland and Ducktown Railroad Company, by an Act of the Legislature of the State of Tennessee, passed on the 26th day of February, 1858, be so amended that the following named persons be appointed commissioners of said company, instead of those persons therein mentioned to-wit: Thomas H. Calloway, William M. Biggs, Samuel Parks, N. L. Foute, James Gamble, W. H. Craigmiles, John F. Hays, Julius E. Raht, Simeon E. Browder, William P. Copeland, Pleasant M. Craigmiles, D. C. McMilen, John B. Cate, Ake. Henry, Y. J. Esterbrook, A. P. McClay, L. McLeod and G. Greer, and they are hereby constituted and appointed a Board of Commissioners, seven of whom shall be authorized and competent to act and transact business, and said Commissioners and Company are clothed with the same rights, powers and privileges, and immunities, which are granted in said charter, of which this is an amendment, and said Commissioners shall appoint a time for the stockholders to meet, at such place as they may designate, for the purpose of electing a President and ten Directors to manage the affairs of said company.

Powers.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XVI.

AN ACT to Incorporate the Nashville Barber's Association.

WHEREAS, The Barbers of Nashville have formed an association for the aid of its members in case of sickness, and for the improvement of its members in virtue and knowledge, Therefore—

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Frank Parrish, Nelson Walker, D. S. Lapsley, E. Woods, and their associates, be, and are hereby incorporated, under the name of "The Nashville Barber's Association," for the benevolent purposes aforesaid, and have a seal, right to sue and be sued, and such powers as may be necessary and proper to carry into effect the end for which this charter is granted, for the term of ten years, subject to amendment or repeal by any future Legislature.

Powers.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XVII.

AN ACT to incorporate the Tennessee Oil, Mining and Manufacturing Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John D. Thomas, Joseph S. Fowler, Wilson L. Waters, William L. White, and their associates, successors, and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "Tennessee Oil, Mining, and Manufacturing Company," and by that name and style shall have succession for ninety-nine years, and shall be competent to sue and be sued in any court of law or equity whatever; to have and use a seal, and alter the same at will; to make and change any by-laws for the government of the Company; to purchase, hold and dispose of such real estate, lease, mines, minerals, iron, coal, oil and personal property, as may be necessary for the legitimate transaction of

Rights.

their business; to mine, forge, roll, smelt, work, manufacture, refine and sell said minerals, coal, iron, oil, or other products thereof, in or out of the State, and issue such number of shares of the stock of said Company, at the representative par value thereof, as may be ordered by a vote of said Company; to determine the par value of shares, and have the right to pay in shares of stock of the corporation for such mining interest in real estate or machinery for manufacturing purposes as may be necessary; to purchase or lease for the successful operation of business engaged in; and generally to have, enjoy and exercise all rights and privileges incident to corporations, except the right to issue notes or engage in banking. Powers.

SEC. 2. *Be it further enacted*, That whenever said Company shall become possessed of mines, minerals, lands, or leases, situated in this State or elsewhere, a separate and distinct interest of each mine, lead, field, lien, deposit, or lease, may be created under such name as may be adopted to distinguish the same; and in like manner may organize under, and enjoy as a distinct branch interest, all the rights and privileges named in the first section of this Act. Branch.

SEC. 3. *Be it further enacted*, That Alexander J. Mackay, Jonathan D. Hall, and John G. Parkhurst, and their associates, successors, and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "Eagle Oil, Mining and Manufacturing Company," with all the rights and privileges granted by the provisions of this Act to the "Tennessee Oil, Mining and Manufacturing Company." Eagle O. M. & M. Co.

SEC. 4. *Be it further enacted*, That John P. Cook, Philo Wilson, Wm. B. Wilson, Edwin A. Howard, and Ed. S. Wheat, and their associates, successors, and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "Tennessee Petroleum, Mining and Manufacturing Company," with all the rights and privileges granted by the provisions of this Act to the "Tennessee Oil, Mining and Manufacturing Company." Tenn. P., M. & M. Co.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 6, 1865.

CHAPTER XVIII.

AN ACT to Incorporate the Memphis City Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William R. Moore, J. M. Hill, S. B. Beaumont, R. Hough, Wm. M. Farrington, Frank Taft, G. P. Ware, S. R. Wood, Fielding Hurst, P. E. Bland, Joseph Bruce, Abner Taylor, Thomas R. Smith, H. B. Wells, Joseph W. Eystra, William C. Bryan, W. P. Hepburn and Frank Brooks, and their associates, be, and they are hereby constituted a body politic and corporate, under the name and style of the "Memphis City Railroad Company," and by that name may have succession for the term of thirty years, may sue and be sued, plead and be impleaded with, may have and use a common seal, may purchase and hold such personal and real estate as in the opinion of the Directors may be necessary for carrying on the business of the corporation, and the same to sell and dispose of at pleasure; may make all needful by-laws for their government not inconsistent or in conflict with the laws of the State of Tennessee and the United States.

Rights.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be three hundred thousand dollars, with the right and privilege on the part of said Company to make it five hundred thousand dollars, which shall be divided into shares of fifty dollars each, and the same may be subscribed to and made subject to such calls and terms of payment as said Directors, hereinafter provided for, shall designate.

SEC. 3. *Be it further enacted*, That the persons above named shall, within one year after this Act, meet, and elect five of their number by ballot, to act as Directors of said Company, and thereupon said Directors shall choose one of their number to act as President, and may elect such other officers as they may think necessary, and fix the salary of the same—said officers to remain in office one year, and until their successors shall be duly elected,—and at the end of one year after the election of such Directors, and annually thereafter, after thirty day's notice, to be given by the President and Secretary, or either of them, in a newspaper published in the city of Memphis, of the time and place of such election, the stockholders shall meet and elect five Directors for

Election.

the ensuing year,—each stockholder to have one vote for each share of stock held by him or her. Said Directors shall thereupon proceed to organize, as above provided for the organization of said first Board of Directors, and so on annually, during the existence of this charter. Said stockholders may vote in person or by proxy. Three of said Directors shall constitute a quorum for the transaction of business.

SEC. 4. *Be it further enacted*, That said Company, by their said Directors and Officers, shall have power to make, complete and execute all contracts and agreements entered into with the city of Memphis, or other parties, for any purpose whatever, connected either directly or indirectly with the construction, maintaining or operating said railway, and may alter or enlarge the term of the same with said parties, and may construct, maintain, use and operate street railways by animal power, on all or any of the streets in the city of Memphis, in the State of Tennessee, for that purpose using all necessary machinery and equipments; said Company to use neatly-constructed, commodious and safe cars, to be well adapted to such use and purpose; may enter into all necessary contracts for the building and operating of said railway, and declare dividends on the capital stock of the same. Powers.

SEC. 5. *Be it further enacted*, That this Act shall be so constructed as to authorize said Company to construct, maintain and operate said railway in the streets of the towns or villages of Chelsea and Fort Pickering, in all respects the same as in the city of Memphis: *Provided*, That this Act shall be so construed as not to grant either the endorsement of the State, or the loan of any bonds.

SEC. 6 *Be it further enacted*, That each stockholder shall be individually liable to the creditors of said Company, to an amount equal to the amount unpaid on the stock held by him, for all the debts and liabilities of said Company, until the whole amount of the capital stock so held by him shall have been paid to the Company, and all the stockholders of said Company shall be jointly liable for all the debts due or owing to any of its laborers and servants, for services performed for said corporation, but shall not be liable to an action therefor before any execution shall be returned unsatisfied, in whole or in part, against the said corporation, and then the amount due on such execution shall be the amount recoverable, with cost, against such stockholders. Liability.

SEC. 7. *Be it further enacted*, That said railroad shall be constructed on the most approved plan for the construction of city railroads, and shall be run as often as the convenience of passengers may require, and shall be subject to such reasonable rules and regulations, in respect thereto, as the Common Council of the city of Memphis may, from time to time, by ordinance prescribe, and to the payment to the city of such license annually, for each car run thereon as they may, by ordinance, prescribe; and the persons and their assigns are hereby authorized to charge at the rate of five cents for the conveyance of passengers for the whole or any part of the route from the depot to the terminus of said railroad.

SEC. 8. *Be it further enacted*, That whenever the said tracks shall be placed on the roads, the same shall be laid with such rails and in such manner as shall not obstruct carriage travel, and said Company shall cause said tracks to conform to the grade of the roads as they now are, or as it may be by them, and at their expense, changed or altered, and said Company shall keep the surface of such roads inside the rails, and for two feet outside on each side thereof, in good order and repair.

SEC. 9. *Be it further enacted*, That the Act entitled "An Act to Incorporate the People's Passenger Railroad Company of the City of Memphis," passed February, 1860, be, and the same is hereby repealed, together with all Acts and parts of Acts inconsistent with this Act.

SEC. 10. *Be it further enacted*, That this Act shall take effect from the date of its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 7, 1865.

CHAPTER XIX.

AN ACT to incorporate the Tennessee and Kentucky Petroleum, Mining, and Manufacturing Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That C. H. Smith, Dr. Joshua Coff, George L. Lewis, George Hillman, W. J. McCor, W. J. Costner, and their associates, be, and are hereby, created a body politic and corporate, by the name of the "Tennessee and Kentucky Petroleum, Mining, and Manufacturing Company," and shall have succession for ninety-nine years. At any time after organization within twelve months, the Directors of said Company may, if desired, change the name of said Company to any other name; and by having a declaration of the same, signed and acknowledged by their President, and recorded, as a deed for land, in the County where the business meeting is held, said new name shall become the corporate name of said body.

SEC. 2. *Be it further enacted,* That said Company, in their corporate name, may sue and be sued, plead and be impleaded, in any court of law or equity; may Rights. adopt and use a common seal, changeable at their pleasure; may contract and be contracted with, and have and enjoy all the privileges and rights incident to corporations.

SEC. 3. *Be it further enacted,* That said Company may acquire and hold by purchase or lease any real or personal property necessary or proper to carry on their business; may sell, convey, exchange, rent or lease the same, or any part thereof, at any time or times during the continuance of this charter; and shall have and enjoy all the rights, privileges and immunities granted by this Legislature to any Petroleum, or Mining, or Manufacturing Company.

SEC. 4. *Be it further enacted,* That said corporation shall have power to explore any of the land acquired or held by them, by digging, tunneling, boring, mining, or otherwise, for petroleum, salt, coal, iron, lead, Powers. copper, or other material or product, and to prepare, by manufacturing or otherwise, any material or product so found for market; to use or vend the same, either crude or manufactured; to erect such houses and machinery as they may deem requisite to carry on any part of said business. Said Company may make, or have executed to them, mortgages or deeds of trust on real or personal property, when necessary

in their business, or in order to secure debts due or to become due by or to said corporation.

SEC. 5. *Be it further enacted*, That this Company may ordain and establish, from time to time, alter or amend, such by-laws, rules and regulations for the government of their affairs, as they may deem proper, and which shall not contravene this charter and the laws of the land.

Capital stock.

SEC. 6. *Be it further enacted*, That the capital stock of this corporation shall not be less than one hundred thousand dollars, nor more than five hundred thousand dollars, consisting of shares estimated at twenty dollars each.

Books.

SEC. 7. *Be it further enacted*, That any five of said corporators may open books for subscriptions of stock in said Company at such times and places as they may choose. When the sum of ten thousand dollars has been subscribed, then said Company may organize and elect officers.

Officers.

SEC. 8. *Be it further enacted*, That the officers of said association shall consist of a President, a Secretary, and seven Directors, who shall serve for one year, and until their successors are qualified and inducted into office. The elections shall be at such time and place, and on such notice, as the by-laws may prescribe.

SEC. 9. *Be it further enacted*, That the officers shall be elected annually as aforesaid, by a majority of the votes cast at such election; and in elections, each share shall entitle the owner thereof to one vote.

SEC. 10. *Be it further enacted*, That, for cause deemed by them sufficient, the Directors may dismiss any officer or agent, and appoint a successor to act until the next regular election, or for a shorter term, as they may determine.

SEC. 11. *Be it further enacted*, That each subscriber for stock in said corporation shall be individually liable only for the amount subscribed for by such person, and only until the same is paid in.

Liability.

SEC. 12. *Be it further enacted*, That nothing in this Act shall be so construed as to give banking privileges to said Company; and that the right to alter, change, or repeal this Act, is hereby reserved to any subsequent Legislature.

SEC. 13. *Be it further enacted*, That Sol. Hesse, N. Hoffeiner, Adolph Loeb, H. T. Tomlinson, J. Nathan, J. S. Menkin, Henry Sussel, and their associates, are hereby incorporated a body politic and corporate, un-

for the name and style of the "Memphis Club," in the city of Memphis, County of Shelby, and State of Tennessee, with full powers in their said corporate capacity to sue and be sued, plead and be impleaded, purchase and hold real and personal property, stock, and incorporate hereditaments, and may dispose of the same in such manner as said association may deem most expedient. Memphis

SEC. 14. *Be it further enacted*, That the said "Memphis Club" may use a common seal, and change the same at pleasure; and enact, from time to time, such by-laws and regulations as may be required for the good order and government of said society, not inconsistent with the Constitution of the United States or the State of Tennessee, and do and perform all other acts for their benefit not inconsistent with the privileges herein granted. Powers.

SEC. 15. *And be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 7, 1865.

CHAPTER XX.

AN ACT to amend an Act authorizing John C. Haley to establish a Turnpike road, passed October 28, 1833.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That F. A. Henager, Jas. R. Rigsby, George W. Rider, and Abel A. Pearson, be and they are hereby authorized to open, establish, and keep in repair a Turnpike Road across what is known as the Qualls Trace of Walden's Ridge, beginning at or near where J. L. Hutchison formerly lived, in Rhea County, and from thence to Benjamin F. Bridgeman's mill, at the foot of the mountain, in Bledsoe County; and that the said proprietors have the charter for said road for the same length of time, and upon the same terms and conditions in all respects that a charter for a turnpike road was given to John C. Haley, by an Act passed October 28, 1833, and that John Lee, of Bledsoe County, and John P. Walker, of

Rhea County, be appointed Commissioners on said road, who shall take the same oath, and perform the same duties, and be entitled to the same privileges and emoluments that are enjoined upon and extended to the Commissioners of said John C. Haley's Turnpike road, by the Act aforesaid; the charter hereby granted to be void unless the road be opened and completed within four years from the passage of this Act.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 7, 1865.

CHAPTER XXI.

AN ACT to incorporate the Memphis and Mound City Arkansas Steam Packet Company, of Memphis.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That G. P. Ware, C. C. Burk, Wm. M. Farrington, Wm. R. Moore, John D. Ware, and their associates, shall be and they are hereby constituted a body politic and corporate under the name and style of the People's Passenger and Freight Steam Packet Company of Memphis and Mound City; and by that name may have succession for the term of thirty years; may sue and be sued, plead and be impleaded; may have and use a common seal; may purchase and hold such personal and real estate as may be necessary for carrying on the business of the Corporation; and the same to sell or dispose of at pleasure; may make all needful by-laws for their government not inconsistent or in conflict with the laws of the United States, the State of Tennessee, or the City of Memphis and County of Shelby.

Rights.

SEC. 2. *Be it further enacted,* That the capital stock of said Company shall be three hundred thousand dollars, which shall be divided into shares of fifty dollars each, and the same may be subscribed to and made subject to such calls and terms of payment as the directory hereinafter provided for shall designate.

Capital Stock.

SEC. 3. *Be it further enacted,* That the persons above named shall open books for the subscription of stock, and when one hundred shares are subscribed and ten

dollars on each share paid in, the stockholders may then meet and elect five of their number Directors of said Company, and thereupon said Directors shall choose one of their number to act as President, and may elect such other officers as they may think necessary, and fix the salaries of the same, said officers to remain in office one year, or until their successors are duly elected and installed into office, at which time, after three weeks notice in one newspaper published in the County of Shelby, State aforesaid, the stockholders of said Company shall meet and elect the Directors aforesaid, each stockholder having one vote for each share of stock held by him or her. Said Directors shall thereupon elect their said President and other officers, and said election shall take place annually. Said stockholders may vote in person or by proxy. Three of said Directors shall constitute a quorum for the transaction of business.

Elections.

SEC. 4. *Be it further enacted*, That said Company, by their Directors and Officers shall have power to complete and execute all contracts or agreements entered into with the city of Memphis, or other parties, for the use of a landing or wharf of said city, and may alter or enlarge the terms of same. Said parties may enter into all necessary contracts for the building and operating said Steam Packet Company, and declare dividends on the capital stock of the same, provided that the capital stock is not diminished thereby.

SEC. 5. *Be it further enacted*, That said Company, in establishing a tariff of Freight and Passage to and from Memphis and Mound City, will submit the same to the County Court of Shelby County, State aforesaid, for the approval of the same before any of its provisions can be enforced: *Provided*, this Act shall not be so construed as to grant either the endorsement of the State or the loan of any bonds.

SEC. 6. *Be it further enacted*, That the stockholders of said Company shall be individually liable for the amount of their stock subscribed until the same is paid.

Liability.

SEC. 7. *Be it further enacted*, That this Corporation shall be subject to such taxes as may be imposed on similar corporations of this State.

SEC. 8. *Be it further enacted*, That nothing herein contained shall be so construed as to authorize the Corporation of the City of Memphis or the County Court of Shelby County to grant any privilege or make any contract with said Company that will in any

ay interfere with the vested rights of any party or parties whatever as now fixed by law.

SEC. 9. *Be it further enacted,* That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXII.

AN ACT to incorporate Tennessee Mountain Petroleum and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Dr. T. A. Atchison, Capt. W. H. H. Ayers, Capt. L. H. Thrikston, S. H. Tar, J. W. Plummer, Capt. and Pro. Mar. Dist. Md. Tenn., H. W. Hart, and their associates, successors, and assigns be and they are hereby constituted a body corporate and politic by the name and style of "Tennessee Mountain Petroleum and Mining Company;" and by that name and style shall have succession for ninety-nine years, with power to contract and be contracted with, sue and be sued in that name in all courts and places; the have a common seal; to engage in mining, manufacturing, and boring for Petroleum, Salt and other valuable minerals, and in the manufacturing, refining, and preparing for market, transporting and selling the same, and other products of said business, and of the land now owned, or which may hereafter be owned by them in the State; to hold their meetings, and transport and sell their oil or other minerals or other products, within or without the State, and to have all other powers needful and proper for the successful prosecution of their business and for the execution of the powers herein granted.

Rights.

SEC. 2. That said Corporation may organize said Company by the appointment of a President and such other officers and managers as they may deem necessary at such times and places as they may designate by notice previously given; and when thus organized, the said Company shall have power to make such by-laws, rules, and regulations as they may deem necessary from time to time for the government and prose-

Officers.

cution of the business of said Corporation, not sistent with the Constitution and laws of the United States and of the State of Tennessee.

SEC. 3. The capital stock of said Company shall be five hundred thousand dollars, and said Company shall have power to increase the same from time to time, not exceeding one million dollars.

SEC. 4. The Company may buy, lease, or rent any suitable lands, mines, oil and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise. They may receive real estate, lease hold, mining and boring rights and rights of way in payment of such part of subscription as they may deem advisable. Said Company may erect and build on any of their lands such buildings, engines, machinery, and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said Corporation. Powers.

SEC. 5. *Be it further enacted*, That this Corporation shall be subject to such taxes as may be imposed on similar corporations in this State. Taxable.

SEC. 6. *Be it further enacted*, That a violation of this charter shall authorize the Legislature to allow or repeal the same, and that nothing therein contained shall be so construed as to allow any Banking privileges to said Company.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXIII.

AN ACT to incorporate the East Tennessee Union Petroleum, Coal, Iron, and Salt Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That O. P. Temple, Green Adams, R. R. Butler, John B. Brownlow, David K. Young, L. C. Houk, and their associates, successors, and assigns, be, and are hereby, constituted a body corpo-

rate, by the name and style of the "East Tennessee Union Petroleum, Coal, Iron, and Salt Company," and by that name shall have succession for ninety-nine years; and shall be competent to sue and be sued in any court of law or equity; to have and use a common seal, and to alter the same at pleasure; to establish, ordain and change any by-laws, not inconsistent with the Constitution and Laws of Tennessee, that may be necessary for the government of the Company; to purchase, hold and dispose of such real estate, leases, mines, minerals, iron, coal, oil, salt, and personal property, as they may desire, or that may be necessary for the legitimate transaction of their business; to mine, bore, forge, sell, smelt, transport, work, manufacture, refine and vend the same; to issue such number of shares of the stock of said Company, at the representative par value thereof, as may be endorsed by a vote of said Company; to determine the par value of shares, and have the right to pay in of stock of the corporation for such running interest or interests, in real estate, as may be necessary; to purchase or lease for the operation of the works of the Company; to lay and conduct pipes and construct railroads from their wells to navigable rivers, or railroads now constructed or to be constructed, and to make connections and turnouts for their purposes, &c.; that the capital stock of said Company be one million dollars, to be divided in such shares as the Company may determine, which may be increased or diminished, as the Company may determine; that the President and Directors shall regulate the proportion of stock which may be issued to each member on application; the Company to have, enjoy and exercise all the rights and privileges belonging and incident to corporations, except the right to issue notes, or engage in the business of banking.

Powers.

SEC. 2. *Be it further enacted*, That whenever said Company shall become possessed of mines or minerals, lands or leases, iron, coal, or petroleum leases, situated in this State or elsewhere, a separate and distinct interest of each mine, bed, field, vein, deposit or lease may be created under some name to distinguish the same, and in like manner may organize under, and enjoy as a distinct branch, all the rights and privileges named in the first section of this Act.

Branches.

SEC. 3. *Be it further enacted*, That Horace Maynard, Wm. F. Ray, Thos. J. Vanguilder, James B. Howard, Francis S. Price, James N. Clark, Isaac C. Price,

John C. Flanders, Wm. McKey, Joseph L. Cooper, Charles W. Cohen, and S. R. Rodgers, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Knoxville Oil Mining Company," and in that name they may sue and be sued, &c.

Knoxville Oil & Mining Co.

SEC. 4. *Be it further enacted*, That said Company or body corporate shall have all the rights, powers and privileges granted to the "Cumberland Basin Petroleum and Mining Company," and subject to like limitations and restrictions. Powers.

SEC. 5. *Be it further enacted*, That James H. Vaughn, J. M. Robb, John H. Ligon, H. F. Banks, and H. S. Craine, their associates and successors, are hereby constituted a body politic and corporate, for a period of ninety-nine years, by the name of the "Tennessee Oil and Mineral Company," for the purpose of exploring for oil, copper, gold, lead, silver, iron, zinc, coal, and other ores, metals and minerals, and for the purpose of developing, mining, working, refining, smelting, purchasing and vending the same, with the capital, and clothed with all the powers, rights and privileges granted in the foregoing charter incorporating the "East Tennessee Union Petroleum, Coal, Iron, and Salt Company." Said Corporators and their associates shall organize by the election of six Directors of their number, who shall elect a President, Vice-President, Secretary, and Treasurer, who shall perform such duties and exercise such powers as may be prescribed by the by-laws. Election.

Tenn. Oil and Mining Co.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXIV.

AN ACT to Incorporate the Manchester and Barren Fork Mining and Manufacturing Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That W. T. Garrett, J. C. McCrory, and D. P. Rathbone, and their associates and successors be, and they are hereby created a body politic and corporate, by the name and style of "The Manchester and Barren Fork Mining and Manufacturing Company," and by that name shall have succession for ninety-nine years; sue and be sued, plead and be impleaded with, and generally to do every act and thing necessary and proper to carry out the provisions of this Act, and to promote the object and designs of this corporation.

Capital stock.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be two hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, to be divided into shares of one hundred dollars each, and the persons above named shall open books for the subscription of stock, and when fifty thousand dollars shall have been subscribed, the stockholders may meet and elect five Directors, and said Directors shall elect one of their number President, and also elect a Secretary.

Election.

SEC. 3. *Be it further enacted*, That the affairs of said Company shall be managed by a Board of Directors, consisting of not less than five, and such agents and officers as they may appoint. The Secretary and President shall be elected every year by the Directors, and all vacancies happening in said Board, or in any of said offices, may be filled by the acting Directors for the remainder of the term for which they were elected or appointed. The Board shall have power to establish by-laws for the government of said Company, and to alter the same whenever it may be deemed proper for them to do so. The Directors shall have power to require security for the payment of all stock subscribed and not paid in.

SEC. 4. *Be it further enacted*, That the said Company shall have full power and authority to purchase and lease lands or real estate, and to dispose of the same, and to do a general mining and manufacturing business on lands owned and leased by said Company; to mine, forge, roll, smelt, manufacture, transport, and

to vend minerals, iron, coal, petroleum oil, salt, and to hold property of every species necessary for the carrying on of the business of said Company, and said Company shall have power to make contracts under the corporate seal, signed by the President and attested and signed by the Secretary or other officer who may be appointed by the Directors for that purpose.

Powers.

SEC. 5. *Be it further enacted*, That should the said Company at any time fail to meet its engagements, each person holding stock at the time of such failure shall be individually liable for the debts of the Company to the amount of the balance of the unpaid stock of such stockholder.

Liability.

SEC. 6. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations of this State.

Taxable.

SEC. 7. *Be it further enacted by the General Assembly of the State of Tennessee*, That E. C. Schultzo, L. C. Platt, C. M. Northrup, Charles Kochler, Joseph W. Currier, Lewis Benton and John A. Smith, shall be, and are hereby constituted a body politic and corporate, for the purpose of purchasing, selling, mining, improving and settling with loyal owners, land in the State of Tennessee known by the name and style of "The New York and Tennessee Mining and Farmland Company," and by that name may have succession for ninety-nine years; may sue and be sued; may contract and be contracted with; may have a common seal and power to change the same at will; may purchase and hold such personal and real estate as they shall deem necessary for carrying out the objects of the corporation, and may sell or dispose of the same at pleasure, and receive pay, security or mortgages therefor; may mine work, or otherwise develop the mineral resources, and may construct such machinery and improvements on the land of the corporation as they shall think proper, and have power to sell, lease or otherwise dispose of the same; and may make all necessary by-laws for their government not inconsistent with the laws of the United States or of the State of Tennessee.

N. Y. & Tennessee Mining and Farmland Co.

SEC. 8. The capital stock of said company shall consist of five thousand shares of the par value of one hundred dollars each, with the privilege of increasing, if necessary, to forty thousand shares, and the Trustees shall designate and determine what portion of said stock shall be paid in land and its value, and

Capital stock.

Officers.

what portion in cash, which stock shall be deemed personal estate, and transferrable in such manner as the by-laws of the Company shall direct.

Election.

SEC. 9. That the affairs of said Company shall be managed by a Board of Trustees chosen by the stockholders, who shall hold their office for one year, and until their successors are elected. Every member of said Board of Trustees shall be a stockholder. In every election, and at every meeting of stockholders, each share of stock on which no call or assessment is due, past and unpaid, shall entitle the holder thereof to one vote, either in person or by proxy. The Board of Trustees may choose a President, Vice-President, Secretary and Treasurer, and such other officers and agents as may be necessary, and fix their salaries. A failure to hold any election on the day designated, shall not work a dissolution of the corporation, but such election may be held at a subsequent time to be designated by the Board of Trustees.

Delinquents.

SEC. 10. If any subscriber for stock shall fail to pay the amount subscribed, in such manner as may be prescribed by the by-laws, the same may be recovered by action of debt in any court having jurisdiction, or such stock may be sold, and declared forfeited by the Company, on such terms as the Board of Trustees shall determine and prescribe.

Books.

SEC. 11. That the aforesaid persons, or any number of them, or any other person duly authorized by the Board of Trustees, may, at any time or place, open books for the subscription of stock.

Cascade M. M.
& P. Co.

SEC. 12. *Be it further enacted*, That James Mullens, William H. Wisner, Philemon Gosling, and John C. Coldwell, Jr., be, and are hereby created a body politic and corporate, with succession for ninety-nine years, to be known and designated as "The Cascade Mining and Manufacturing Petroleum Company," with all the powers and privileges of this Act, as conferred upon the previous corporations in this Act.

SEC. 13. *And be it further enacted*, That this Act shall take effect and be in full force from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXV.

AN ACT to amend An Act entitled An Act to Incorporate the East Tennessee and Virginia Railroad Company, passed the 27th day of January, 1848

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the 7th section of said Act be so amended that the affairs of said Company shall be managed by a Board of Directors to consist of nine instead of fifteen, as now required by law.

SEC. 2. *Re it further enacted,* That the seventeenth section be so amended that a stockholder, in his own right, of ten shares, shall be eligible to the office of President or Director of said Company, with all the rights and privileges that they are now allowed by law: *Provided,* he be a loyal citizen of the United States Government.

SEC. 3. *Be it further enacted,* That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXVI.

AN ACT to Incorporate the Tennessee Mining and Manufacturing Company.

WHEREAS, It has been represented to this General Assembly that the property known as the Washington County Iron Works, in Washington County, of this State, upon which there now are a furnace, forges, rolling mill, and other improvements, is capable by the application of the requisite capital of much further development, Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Charles J. McKinney, of Hawkins County; Calvin Hoss, of Washington County; and such other persons as they may associate with them, as owners of the shares hereinafter authorized to be issued, be and the same are hereby made a body

Powers. politic and corporate, under the name and style of the Tennessee Mining and Manufacturing Company, and as such, in that name, may have continued succession, and may purchase, have, hold, use, and acquire, by any lawful means, any estate, real and personal, in as full and ample manner as any individual may or might do; and the same may use, lease, let, mortgage, sell, and convey, or otherwise dispose of; and may sue and be sued, plead and be impleaded, contract and be contracted with, and have and use a common seal, and the same may change at pleasure; and make by-laws, not inconsistent with the Constitution and laws of Tennessee, and regulations for the management of their affairs; and may have and use all the rights, powers, and privileges which are or may be necessary for them to have as an incorporated Company.

Capital Stock. SEC. 2. *Be it further enacted,* That the capital stock of the said Company shall consist of shares of ten dollars each, of which the said property, known as Washington County Iron Works, shall constitute a part, at a price to be agreed upon by and between the parties interested, and when two hundred thousand dollars shall have been subscribed, the shareholders may proceed to organize the Company by the election of five or more Directors; and the Directors for the time being may have, exercise, and enjoy, in the name and behalf of the Company, all the rights, powers and privileges which are given or intended to be given herein, and may from time to time, increase their resources by borrowing money on a pledge of their property, or without such pledge, or by new subscriptions; and the subscribers shall be bound, each for himself or herself to pay the sums by them respectively subscribed; and when the sums due, or to become due thereon, shall have been paid, such shareholder shall not be liable for any further payment on account thereof.

Election.

Officers. SEC. 3. *Be it further enacted,* That the by-laws may prescribe the number of and the manner in which the officers and agents of the Company shall be appointed, their terms of service, powers, and duties, and may require that they shall take an oath faithfully to discharge their respective duties. And inasmuch as the Nolachucky river is not navigable above the site of the said Iron Works, and the water power, for manufacturing purposes, may be greatly increased by erecting one or more dams across the said river above the site aforesaid, the Company may, and they are hereby au-

thorized to, erect one or more dams across the said river, if the same, in their opinion, be necessary and proper to aid in the establishment of manufactures of iron, or other articles or commodities; subject, nevertheless, to the payment of any damages which may be assessed by a jury empannelled by a court having competent jurisdiction; and *provided* that the erection of said dam or dams shall not interfere with the navigation of said river.

SEC. 4. *Be it further enacted*, That this Act shall be in force for thirty years from and after its passage, and until the same be modified and repealed; and all Acts and parts of Acts conflicting with this Act shall be and are hereby repealed: *Provided*, that nothing in this Act shall be so construed as to give, grant, or allow to said Company Banking privileges.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXVII.

AN ACT incorporating the Tennessee and Cumberland Oil and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. G. Wells, C. L. Hequem-bough, Wm. C. Bunts, Wm. B. Campbell, Wm. H. Gordon, Delaino F. Smith, Edward Donohoe, George Richardson, F. H. Cotton, their associates, successors, and assigns, be, and are hereby created, constituted and declared a body politic and corporate, under the name and style of the "Tennessee and Cumberland Oil and Mining Company," with full privileges and powers to and for the purpose of prospecting, boring, exploring for, raising, mining, digging, transporting and selling oil, petroleum, kerosene, asphaltum, naphtha, salt, coal, iron, and all other minerals in this State or elsewhere, on any lands they may acquire by purchase, lease or gift; and to manufacture dyes and colors, refine and convert it to such other uses by distillation, refining and manufacturing, as science, chemistry and philosophy has or may hereafter make known

Powers.

and discover; also the privilege and power to manufacture iron from the ore into pig metal, and rolled iron in all its qualities and forms; to erect all necessary machinery, buildings, furnaces, warehouses, docks and levees as shall or may be conducive to the successful operation of their said business in all of its various departments and ramifications; also to lay and conduct pipes, and construct railroads, turnpikes and canals from their lands and works to any navigable river, or railroad now constructed or hereafter constructed, and to make the necessary switches and connections for the purpose of transporting said articles, mined and manufactured, and importing such articles and materials as said Company may require for the conducting of their said business: *Provided, however,* That in constructing said roads, canals, &c., they do not interfere with any vested rights; and by said name and style are hereby made a body capable in law, as individual citizens, to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, and prosecute to final judgment, in the State and elsewhere, in all courts of law and equity; to make, have and use a common seal, and change the same at will; with full power and authority to purchase, lease, and receive in donation, and enjoy and possess estate, real, personal and mixed, and to lease, rent, sell, alienate, convey, and otherwise dispose of the same; with all rights, powers and privileges necessary and proper for them as an incorporate Company; and by such name and style shall have succession for the full term of ninety-nine years: *Provided,* That nothing in this Act shall interfere with the vested rights of any other Company under the laws of the State of Tennessee.

Powers.

SEC. 2. *Be it further enacted,* That the incorporators, in person or by proxy, shall, as soon after the passage of this Act as convenient, meet and organize by the election of a Board of Directors of not less than seven, nor more than ten, in number, who shall have the management and control of the affairs of the Company, a majority of whom shall constitute a quorum for the transaction of business, and each being a stockholder to the amount of twenty-five shares, at least, who, as well as their successors, shall hold their office for the term of one year, and until their successors are elected. Said Directors shall annually thereafter, by public notice for thirty days, in one or more newspapers published in the city of Nashville, next pre-

Organization.

ceding the first Monday of June, to the stockholders to meet at the office of the Company in Nashville, in person or by proxy, to elect Directors for the next ensuing year, at which elections three of the stockholders, appointed by those present, shall be the judges. If the Directors shall fail or neglect to give notice as aforesaid, any two of the stockholders may give said notice, and elect Directors in like manner as if the Directors had given notice as prescribed by this Act; the persons receiving a majority of the votes cast at said elections shall be declared duly elected; and in case of a tie vote, a majority of the Directors elect shall determine and give one vote, which shall be the casting vote: each stockholder shall have one vote for each and every share he or she may own; and any shareholder not present at any such election, may vote by proxy, said proxy being a shareholder, and attending such election, and presenting from his principal authority in writing, signed and sealed by said principal, and attested by two witnesses.

SEC. 3. *Be it further enacted*, That if it should happen that an election of Directors should not be made on the day designated in the notice, the said corporation shall not for that cause be deemed dissolved; but it shall and may be lawful to make and hold an election for Directors on some other designated day, of which notice may be given.

Failure to elect.

SEC. 4. *Be it further enacted*, That the said Directors shall elect annually from their number a President, Vice-President, Secretary, and Treasurer, and other such officers, agents, clerks, and employes, from among the stockholders or from other sources, as the interest of the Company may require; and may take of each of them such bond or bonds, with security, conditioned for the faithful performance of the duties assigned them; allow such compensation as they may think proper, and may remove and dismiss them, or any of them, at pleasure; and shall fill all vacancies in their number caused by death, resignation, or otherwise, by such persons from among the stockholders as they may elect. And the said Directors, or a majority of them, may, from time to time, make, ordain and establish such by-laws and regulations for the government of said corporation in its proceedings, and for the management of its stock and property, as may by them be deemed necessary and convenient: *Provided*, however, the same be not repugnant to and inconsis-

Elections.

ent with the Constitution and Laws of this State and of the United States.

Meetings.

SEC. 5. *Be it further enacted,* That the meetings of the Board of Directors shall be at such times and places as they may themselves determine; and special meetings thereof may be called by the President or a majority of the Directors; and at all meetings thereof, a majority shall constitute a quorum for the transaction of business.

SEC. 6. *Be it further enacted,* That said Directors shall keep, or cause to be kept, proper books of stock and accounts of the business and affairs of said Company—which shall be subject at all times to the inspection of the stockholders—and they shall annually, at the expiration of their term of office, make a full and correct report to the stockholders of the transactions of the year, showing the amounts of property and means received and whence received, the amount disbursed, and for what purpose disbursed, the amount on hand, together with such other information as may be required by the stockholders or deemed important to the interests of the Company.

Capital stock.

SEC. 7. *Be it further enacted,* That the capital stock of the Company shall be two million dollars, divided into one hundred thousand shares of twenty dollars each, which capital stock may be increased or diminished, as the Directors may determine; and the President and Directors shall regulate the proportion of stock, which may be issued to each member on application.

Assignment.

SEC. 8. *Be it further enacted,* That the stock and property of said Company and corporation, of whatever nature, shall be assignable and transferable on the books of said corporation in such manner as the regulations and by-laws thereof may prescribe.

Dividends.

SEC. 9. *Be it further enacted,* That the dividends of the profits of said corporation shall be made at such times among the stockholders as the dividends may determine.

Contracts.

SEC. 10. *Be it further enacted,* That the Board of Directors shall have no power to bind the corporation by any contract or agreement to a greater amount than the capital stock subscribed; and in case of their attempting to do so, the Directors so participating in such an attempt, shall be responsible in their private property to the parties injured.

SEC. 11. *Be it further enacted,* That said corporation may receive real estate, leasehold, mining and boring

interests and rights, and right of way, in payment of such part of subscription to stock as may be by the Directors deemed advisable.

SEC. 12. *Be it further enacted*, That said corporation shall not be dissolved, unless by a vote of two-thirds of the whole capital stock.

SEC. 13. *Be it further enacted*, That the right to alter, change or repeal this Act, is hereby reserved to any subsequent Legislature; and nothing shall be so construed as to grant said Company banking privileges.

SEC. 14. *And be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate

Passed June 8, 1865.

CHAPTER XXVIII.

AN ACT to Charter the East Tennessee Female College.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Female Institution be, and the same is, hereby chartered and incorporated, by the name of "The East Tennessee Female College," to be located at Cleveland, Tennessee.

SEC. 2. *Be it further enacted*, That the following persons be appointed Trustees of said Institution:

G. B. Thompson, M. D.,	Rev. Wm. C. Daily,
Robt. N. Fleming, M. D.,	Rev. Hiram Douglass,
William Hunt, M. D.,	Rev. Robert Sneed,
J. H. Brown, M. D.,	J. H. Gaut, Esq.,
P. M. Craigmills, M. D.,	L. P. Gaut, Esq.,
J. H. Craigmills,	D. P. O'Neil,
Thomas H. Colloway,	H. B. Davis,
William Cate,	James M. Henderson,
Thomas L. Cate,	Joseph H. Davis,
Jonathan C. Tipton,	Isaac Lowe,

And they and their successors, as hereafter provided, shall constitute a corporation for ninety-nine years.

SEC. 3. *Be it further enacted*, That said corporation shall be able and liable in law and equity, to sue and be sued, plead and be impleaded, to answer and be

Powers.

answered, and to defend and be defended in all courts and places, as any other legally and regularly constituted corporation; may have a common seal, may alter or change the same at pleasure, and also shall be able to take by purchase, grant or devise, or in any other names, and to hold any real, personal, or mixed estate whatever: *Provided always*, The clear yearly value of the real estate shall not exceed the sum of fifty thousand dollars: *And provided also*, That the principal and interest of the whole fund, be used and applied for the use and promotion of education at said College, and to no other purpose.

SEC. 4. *Be it further enacted*, That said Trustees and their successors in office shall have full power and authority to collect and receive all funds that have in any way been contributed or pledged for the establishment, enlargement, maintenance or benefit of said Institution, or for any of its purposes, and apply the same; and give, grant, bargain, sell or dispose of all, or any, of said real, personal or mixed estate as to them may seem best for the interest of said Institution.

Board.

SEC. 5. *Be it further enacted*, That the number of Trustees shall at no time exceed twenty—seven of whom shall constitute a quorum, with power to transact all the business of the Institution, except to sell real estate, in which case a majority of the Board must act.

Funds.

SEC. 6. *Be it further enacted*, That the Trustees and their successors in office, shall have full power and authority to direct, manage and control the funds of the Institution, for the benefit of the same, to prescribe the course of study and the discipline to be observed in the Institution.

Election.

SEC. 7. *Be it further enacted*, That the Trustees and their successors in office shall have power to select and elect, whenever a majority of them may think proper, a President of the Institution, and such Professor or Professors, Tutor or Tutors, as they may consider necessary for the Institution, and these, when elected, shall constitute a Faculty for the education and government of the students, under the restrictions hereinbefore and hereafter enacted.

SEC. 8. *Be it further enacted* That the Faculty elected, as provided in the 7th Section of this Act, shall hold office during the pleasure of the Trustees: *Provided*, that no member of the Faculty shall be dismissed by the Trustees without just cause, previously stated to

him in writing, and a full opportunity for defence allowed him before at least (10) ten of the Trustees: *Provided*, That if complaint shall be made to said Trustees, or any of them, or they, or any of them have knowledge of misconduct on the part of any member of the Faculty, it shall be the duty of the Trustees to immediately call a meeting of their body to investigate the charges, and if they think proper, by a majority vote of the members present, if five or more, suspend said officer until he be notified and tried, as herein provided. Misconduct-

SEC. 9. *Be it further enacted*, That no member of the Faculty shall be eligible to the office of Trustee, except the President, who shall, by virtue of his office, be a member of the Board of Trustees. Eligibility.

SEC. 10. *Be it further enacted*, That said Trustees shall, under the regulations provided in this Act, have power upon the death, resignation or the removal of one of its members, to supply the vacancy by the election of some other person. They shall also have power to make vacant the seat of any member of the Board who shall fail to attend its meetings for the term of twelve months, or for bad, or any want of good, character.

SEC. 11. *Be it further enacted*, That said Trustees shall have power to meet from time to time, upon their own adjournment; and as often as they shall be summoned by the Chairman or President, or in his absence by the Secretary. Meetings.

SEC. 12. *Be it further enacted*, That the President of the Board of Trustees, as well as any other officer that may be necessary for the proper organization of such body, may be elected once in every year, at such time as the Board shall fix by a majority vote; and the officer elected must be a member of the Board of Trustees. President.

SEC. 13. *Be it further enacted*, That the Trustees, and their successors in office, have power and authority to grant and confer all such literary degrees and honors as are usual, in any similar institution in the Union, and to give suitable diplomas, under the signatures of the Faculty and five of the Board of Trustees, which diploma shall entitle the possessor to the same immunities and privileges allowed by usage and statute to the possessors of diplomas from any similar Institution: *Provided*, That this Section be subject to Legislative control. Diplomas.

SEC. 14. *Be it further enacted*, That said Trustees, and

ther successors in office, have power and authority to make all ordinances and by-laws for the government of their Institution which they may deem expedient for carrying the design of the Institution into effect: *Provided*, That none of the by-laws shall be inconsistent with the Constitution and Laws of the State or of the United States.

Chairman.

SEC. 15. *Be it further enacted*, That at a meeting of the Board, a quorum being present, said Board may, in the absence of the President, name one of its members Chairman, whose acts shall be as valid as the acts of the President, and all acts of the Board, under such circumstances, shall be as regular and effectual as if the President had been present and presided over the meeting.

SEC. 16. *Be it further enacted*, That all the property belonging to said Institution, or which may hereafter belong to it, be, and is hereby exempt, from taxation.

SEC. 17. *Be it further enacted*, That this Act shall take effect from its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXIX.

AN ACT to Change the Line between the Counties of Anderson and Campbell.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Line between the counties of Anderson and Campbell be so changed as to include the present residence and farm of Silas L. Arthur in the county of Anderson.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8, 1865.

CHAPTER XXX.

AN ACT to Incorporate the Cumberland Basin Petroleum and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John T. Wilder, W. O. Osgood, W. Hunt, William E. Prall, J. H. Fessenden, S. A. Crittenden, James W. Clark, P. C. Leary, William McMuistry and Samuel Sawyer, and their associates, successors and assigns, be, and they are hereby constituted a body corporate, by the name and style of "The Cumberland Basin Petroleum and Mining Company," and by that name shall have ninety-nine years succession, and shall be competent to sue and be sued in any court of equity or law whatever; to have and use a common seal, and to alter the same at pleasure; to establish and change any by-laws for the government of said Company not inconsistent with the Constitution and laws of Tennessee; to purchase, hold and dispose of such real estate, leases, mines, minerals, iron, coal, oil, salt and personal property as may be necessary for the legitimate transaction of their business; to mine, forge, roll, smelt, transport, work, manufacture, refine and vend said minerals, coal, iron, oil, salt, and products thereof, and issue such number of shares of the stock of said Company; at the representative par value thereof as may be ordered by a vote of said Company; to determine the par value of shares, and have the right to pay in shares of stock of the corporation, for such mining interest, or interest in real estate, as may be necessary to purchase or lease for the operation of the works of the Company, and generally to have, enjoy and exercise all rights and privileges incident to corporations, except the right to issue notes, or engage in banking. Powers.

SEC. 2. *Be it further enacted*, That whenever said Company shall become possessed of mines or minerals, lands or leases, iron, coal, petroleum, or leases, situate in this State or elsewhere, a separate and distinct interest of each mine, bed, field, vein, or deposit, or lease, may be created under some name to distinguish the same, and in like manner may organize under and enjoy, as a distinct branch interest, all the rights and privileges named in the first section of this Act. Branches.

SEC. 3. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 4. *And be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 8th, 1865.

CHAPTER XXXI.

AN ACT to Incorporate the Cumberland Mining and Petroleum Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Barnard F. Mullins, Edward W. Metcalf, Julius C. Hart, Hugh Barns, Alexander J. Mullins, and their associates and successors be, and they are hereby, created a body politic and corporate by the name and style of the Cumberland Mining and Petroleum Company, and by that name shall have succession for ninety-nine years, and shall be capable in law and equity to sue and be sued, plead and be impleaded, in all suits and proceedings whatever, in any of the Courts of this State, and for the purpose of boring for Oil and Salt, and mining for Iron, Coal, Copper, and other mineral or fossil substances in this State, and vending and selling the same, and for erecting buildings and fixtures, and other improvements, in order to carry on said mining operations, and said Company may acquire and hold all needful machinery and apparatus, and may have a common seal, and the same may alter or change at pleasure; may take, hold, manage, convey or transfer any real or personal estate or property necessary for their business, or lease the same; and may make such laws for the government of the Company.

Powers.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be five hundred thousand dollars, (\$500,000), in shares of one hundred dollars each, and the corporators named in the first section of this Act, may act as Directors in organizing the Company, and act as such until the stockholders have a general meeting, when they shall elect a Board of five Directors, and thereafter they shall elect Directors annually, at the place they may designate for business, but a failure to elect annually shall not work a forfeiture of

Capital Stock.

this charter, but the then existing Directors shall act until others are elected. The Directors shall elect one of their members President, and may appoint a Secretary and Treasurer, and such other officers, operatives and agents as they may think proper, and fix their compensation and wages.

SEC. 3. *Be it further enacted*, That the Company may sue any delinquent stockholder for default to pay in his stock, or any of it, according to the terms of the subscription or regulations of the Company, or may, if they choose, declare forfeiture of such stock, and may make such by-laws and rules in relation thereto, as are not inconsistent with the Constitution and laws of this State or of the United States.

Delinquents.

SEC. 4. *Be it further enacted*, That nothing in this Act shall be so construed as to allow said Company any Banking privileges whatever, and a violation of this charter shall authorize the Legislature to alter or repeal it.

SEC. 5. *Be it further enacted*, That section 1, of an Act "to Incorporate the Raulston Oil and Slate Company," passed May 25, 1865, be so amended as to read thus: "That Albert G. Ransom, H. D. McKinney, R. S. Raulston, Hugh L. W. Raulston, W. W. Totten, and Charles Wescott, and their associates, successors, and assigns be and they are hereby constituted a body corporate and politic, by the name and style of "The Raulston Coal, Iron, Oil, and Salt Company," and by that name and style shall have succession for ninety-nine years, with power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of law and equity in this State or elsewhere; to have and to use a common seal and change the same at will; also to buy, lease, sell, grant, and convey lands in this State or elsewhere; to explore and drill for, mine, pump, and raise Coal, Iron, Salt, Oil, Petroleum, Naptha, Asphaltum, and all other minerals of every description, with the right to manufacture and refine said oils and minerals, and Benzoin, Burning Fluids, Dyes and Colors, and to such other purposes and uses as are now known or as science and Chemistry may hereafter make known and discover. Also the right to erect in this State or elsewhere on any lands they may acquire by purchase, gift, or lease, such furnaces, rolling mills, machinery, and fixtures as they may think proper; to manufacture pig metal, rolled iron, and all other kinds of manufactured iron or other metals, as they may

Raulston Coal,
Oil, and Salt
Company.

Powers.

determine. Also the right to transport, sell, and dispose of all such Oil, Coal, Iron, Salt, and other minerals, together with all such manufactured articles to vend at such places in this State or elsewhere as they may deem most profitable, and to have all other powers proper and needful for the successful prosecution of their business, and for the execution of the powers herein granted.

Jackson Mining
and Petroleum
Company.

SEC. 6. *Be it further enacted*, That J. A. Stevens, F. Linek, and J. M. Wambough, be, and they are hereby constituted a body corporate and politic, under the name and style of "The Jackson Mining and Petroleum Company," and shall have the same perpetuation, powers, and privileges granted in the foregoing sections of this Act, with the same succession, rights, and franchises; and, among other rights, to sue and be sued, to have and use a common seal, and to make such by-laws as shall not be inconsistent with this charter, and the Constitution and laws of the United States, or of the State of Tennessee; and with powers to issue and sell stock in shares of one hundred dollars each, and the capital stock of said Company shall be two hundred thousand dollars, with the privilege of increasing it to five hundred thousand dollars.

Nashville Street
Railroads.

SEC. 7. *Be it further enacted*, That so much of an Act passed March the 19th, 1860, as refers to the South Nashville Street Railroad Company, and that so much of said Act passed February 29th, 1860, as refers to the McGavock and Mt. Vernon Horse Railroad Company, be and the same are hereby respectively revived and amended as hereinafter provided.

SEC. 8. *Be it further enacted*, That the said South Nashville Street Railroad Company shall have the exclusive right of way, excepting as hereinafter provided; and by and with the consent of the Mayor and Aldermen and Council or the city authorities of Nashville, through Cherry and College streets in the city of Nashville, from the Public Square in said city to any point or points two miles south of the southern and eastern boundary lines of said Corporation, over which to construct two lines of Street Railroads; also through and over Cedar, Union, and Church streets, from College to Cherry streets, and through Franklin street, or such other location as may be agreed upon, in the southern part of said city, from Cherry street to Maple street, and through Maple street to its southern terminus.

SEC. 9. *Be it further enacted*, That said Company may make a branch Street Railroad from their main stem or trunk to and through Carroll street eastwardly to the Lebanon Turnpike Road, and to extend the same at will south-eastwardly along said turnpike road not exceeding two miles from the Corporation line.

SEC. 10. *Be it further enacted*, That E. H. East, M. Burns, E. R. Glasscock, Robert Thompson, and G. H. Wessel be added to the other Commissioners originally named in the McGavock and Mt. Vernon Horse Railroad Company, and that they, their associates and successors are hereby constituted said body politic and corporate, for the uses and purposes set forth in said original charter.

McGavock and
Mt. Vernon Co.

SEC. 11. *Be it further enacted*, That said McGavock and Mt. Vernon Horse Railroad Company and the South Nashville Street Railroad Company shall have the right of way in common over the railroad tracks in and along the Public Square in the city of Nashville, and over the tracks of said roads, or either of them, from said Square through Cedar Street to Cherry, through Cherry street to Church street, through Church Street to College street, through College street from Church street to the Public Square, and along the south side of the Public Square to the Suspension Bridge piers, and along the west side to Cedar street, and to use, build and occupy said railroad tracks in common, and upon such terms and conditions as may be fair and equitable.

Right of way.

SEC. 12. *Be it further enacted*, That said two Street Railroad Companies may hereafter, by and with the consent of the Common Council, Mayor and Aldermen of the city of Nashville, build other branches to their respective roads over and through such other streets as may hereafter be selected, and that said Companies may contract with other private Companies for the right of way over their property, and lay down one or more tracks as arms or branches to said railroads to such point or points as may be agreed upon.

Branches.

SEC. 13. *Be it further enacted*, That said McGavock and Mt. Vernon Horse Railroad Company shall have the exclusive right of way for a street railroad over such streets as may be selected by said Company for their main lines and branches, excepting as hereinbefore declared in common for said two Street Railroads.

SEC. 14. *Be it further enacted*, That said charters

determine. Also the right to transport, sell, and dispose of all such Oil, Coal, Iron, Salt, and other minerals, together with all such manufactured articles to vend at such places in this State or elsewhere as they may deem most profitable, and to have all other powers proper and needful for the successful prosecution of their business, and for the execution of the powers herein granted.

Jackson Mining
and Petroleum
Company.

SEC. 6. *Be it further enacted*, That J. A. Stevens, F. Linek, and J. M. Wambough, be, and they are hereby constituted a body coporate and politic, under the name and style of "The Jackson Mining and Petroleum Company," and shall have the same perpetuation, powers, and privileges granted in the foregoing sections of this Act, with the same succession, rights, and franchises; and, among other rights, to sue and be sued, to have and use a common seal, and to make such by-laws as shall not be inconsistent with this charter, and the Constitution and laws of the United States, or of the State of Tennessee; and with powers to issue and sell stock in shares of one hundred dollars each, and the capital stock of said Company shall be two hundred thousand dollars, with the privilege of increasing it to five hundred thousand dollars.

Nashville Street
Railroads.

SEC. 7. *Be it further enacted*, That so much of an Act passed March the 19th, 1860, as refers to the South Nashville Street Railroad Company, and that so much of said Act passed February 29th, 1860, as refers to the McGavock and Mt. Vernon Horse Railroad Company, be and the same are hereby respectively revived and amended as hereinafter provided.

SEC. 8. *Be it further enacted*, That the said South Nashville Street Railroad Company shall have the exclusive right of way, excepting as hereinafter provided; and by and with the consent of the Mayor and Aldermen and Council or the city authorities of Nashville, through Cherry and College streets in the city of Nashville, from the Public Square in said city to any point or points two miles south of the southern and eastern boundary lines of said Corporation, over which to construct two lines of Street Railroads; also through and over Cedar, Union, and Church streets, from College to Cherry streets, and through Franklin street, or such other location as may be agreed upon, in the southern part of said city, from Cherry street to Maple street, and through Maple street to its southern terminus.

SEC. 9. *Be it further enacted*, That said Company may make a branch Street Railroad from their main stem or trunk to and through Carroll street eastwardly to the Lebanon Turnpike Road, and to extend the same at will south-eastwardly along said turnpike road not exceeding two miles from the Corporation line.

SEC. 10. *Be it further enacted*, That E. H. East, M. Burns, E. R. Glasscock, Robert Thompson, and G. H. Wessel be added to the other Commissioners originally

McGavock and
Mt. Vernon Co.

named in the McGavock and Mt. Vernon Horse Railroad Company, and that they, their associates and successors are hereby constituted said body politic and corporate, for the uses and purposes set forth in said original charter.

SEC. 11. *Be it further enacted*, That said McGavock and Mt. Vernon Horse Railroad Company and the South Nashville Street Railroad Company shall have the right of way in common over the railroad tracks in and along the Public Square in the city of Nashville, and over the tracks of said roads, or either of them, from said Square through Cedar Street to Cherry, through Cherry street to Church street, through Church Street to College street, through College street from Church street to the Public Square, and along the south side of the Public Square to the Suspension Bridge piers, and along the west side to Cedar street, and to use, build and occupy said railroad tracks in common, and upon such terms and conditions as may be fair and equitable.

Right of way.

SEC. 12. *Be it further enacted*, That said two Street Railroad Companies may hereafter, by and with the consent of the Common Council, Mayor and Aldermen of the city of Nashville, build other branches to their respective roads over and through such other streets as may hereafter be selected, and that said Companies may contract with other private Companies for the right of way over their property, and lay down one or more tracks as arms or branches to said railroads to such point or points as may be agreed upon.

Branches.

SEC. 13. *Be it further enacted*, That said McGavock and Mt. Vernon Horse Railroad Company shall have the exclusive right of way for a street railroad over such streets as may be selected by said Company for their main lines and branches, excepting as hereinbefore declared in common for said two Street Railroads.

SEC. 14. *Be it further enacted*, That said charters

CHAPTER XXXIII.

AN ACT to encourage the Planting, Improvement, and other interests of the State of Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Edward Yardly, Thomas B. McElwee, Peter D. Luther, Wm. D. Whipple, T. W. Yardly, J. W. Barker, and John A. Spooner, be, and are hereby, incorporated into a body politic and corporate, and their successors, under the corporate name and style of the "Tennessee Manufacturing and Improvement Company."

Capital Stock. SEC. 2. *Be it further enacted*, That the capital stock of this Company shall be two hundred and fifty thousand dollars, divided into twenty-five thousand shares of ten dollars each, with the privilege of increasing the capital stock to an amount not exceeding five million dollars.

Powers. SEC. 3. *Be it further enacted*, That this Company shall have a common seal, and by its corporate name and style shall have power to transact all its business in its corporate name, purchase and lease lands, raise and manufacture cotton, also oil from cotton seed, together with the mining and dealing in coal, iron, marble, and any or all other valuable minerals: *Provided*, This Company shall not engage in the business of banking.

Powers. SEC. 4. *Be it further enacted*, That this Company shall have full power and authority to open and make roads, by rail or otherwise, necessary for ingress and egress in its operations in shipping their products to market; said Company being at its own expense in the same, and rendering to owners of lands—provided said owners are willing to dispose of the lands—just compensation for the right of way and land so appropriated.

Officers. SEC. 5. *Be it further enacted*, That this Company shall have power to elect its own officers, and establish by-laws, rules and regulations for the government of the same, in such manner as the Company may think best; the same not being repugnant to this Act.

SEC. 6. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar institutions in this State.

SEC. 7. *Be it further enacted*, That, with a view to the relief of the traveling community generally and

the incorporated Turnpike Companies of the State, permission is granted said Turnpike Companies to collect tolls at their several gates: the proceeds of the same, after paying the expense of collection, shall be appropriated to the repair of said roads till the same are made equal to the requirements of the original charter, when this section shall cease to have any further effect. Turnpikes.

SEC. 8. *Be it further enacted*, That, to enable the Lebanon and Nashville Turnpike Company to rebuild the bridges burned by General Forrest's command across Mill Creek and Stone's River, said Company shall be allowed to charge double tolls so soon as one or both of said bridges are completed, and so continue until the gross amount of the extra toll hereby allowed shall create a fund sufficient to discharge the debts incurred in rebuilding said bridges, and no longer, when the provisions of this section shall cease. Turnpike bridge

SEC. 9. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Passed June 9, 1865.

CHAPTER XXXIV.

AN ACT to Incorporate the New York and Tennessee Petroleum and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That E. A. Stillman, L. B. Ostrander, Peter Dick, Joseph S. Rains, M. L. Parkhurst, T. S. Briscoe, Edgar Hyke, Patrick Lavelle, Joseph Cochrum and C. J. Hall, (of whom the first five shall constitute the Directors for the first year,) be, and they are, together with their associates, successors and assigns, hereby constituted a body politic and corporate, by the name of "The New York and Tennessee Petroleum and Mining Company," for the purpose of exploring for petroleum, rock oil, coal oil, salt, volatile substances, and all ores, minerals and metals, and for mining, pumping, or obtaining by any other process, refining and vending the same, and for such purposes may have and hold in fee simple, or

Privileges. for a term of years, real or personal estate; may mortgage, transfer or convey the same; may purchase, construct or erect all necessary buildings, apparatus, roads, &c., for conducting their operations; may have a common seal, and alter or renew the same at pleasure; enjoy all the privileges and immunities of similar corporations, and by that name may sue and be sued, plead and be impleaded, appeal, prosecute and defend in suits and actions, in any court of law or equity in this or any other State; may make such by-laws, rules and regulations for accomplishing the objects of the corporation as may be deemed best from time to time by a majority of the Board of Directors: *Provided*, Such by-laws, rules and regulations do not conflict with the spirit and letter of this Charter, the Constitution and laws of the United States, or of the State of Tennessee.

Powers.

Books. SEC. 2. *Be it further enacted*, That at any time within five years from the passage of this Act, a majority of the above named persons may meet in the city of Nashville, and after accepting this charter, may proceed to open books for the subscription of stock.

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall consist of not less than fifty, nor more than five hundred, thousand dollars, to be divided into such number of shares as the Board of Directors may determine.

Board. SEC. 4. *Be it further enacted*, That when twenty per cent. of the stock shall be subscribed for, and as much as ten per cent. in cash, or real or personal estate, in fee or leasehold, (the value of the same to be determined and agreed upon by the Board of Directors,) shall be paid into the Treasury of the Company, or be in its legal possession, the Board shall proceed to elect a President, Secretary, Treasurer, and such other officers as they may see fit.

SEC. 5. *Be it further enacted*, That the Directors shall require books to be kept containing the names of the stockholders, the amount of their subscription, payments, transfers of stock, and every fact relating to the stock, which, at all reasonable times, shall be subject to the inspection of any and every stockholder.

SEC. 6. *Be it further enacted*, That each stockholder shall be entitled to a certificate, or certificates, of the stock he or she may own, which certificate shall be signed by the President and Secretary of the company, and stamped with its seal.

SEC. 7. *Be it further enacted*, That no transfers of stock shall be valid, until such transfer is registered on the books of the Company by the prescribed officer or regular transferring agent.

SEC. 8. *Be it further enacted*, That the chief office of the Company shall be at Nashville, but the Directors may establish a branch office at the field of operations, and elsewhere, if the interests of the Company are deemed to require it.

SEC. 9. *Be it further enacted*, That the Directors of the Company shall not be less than five in number, and after the first year shall be chosen by the stockholders.

SEC. 10. *Be it further enacted*, That nothing in this Act shall be so construed, as to allow banking privileges under this corporation.

SEC. 11. *Be it further enacted*, That for any violation of this Charter the Legislature may alter, change, or repeal this Act.

SEC. 12. *Be it further enacted*, That C. Hamburg, Thomas Hays, Sol. Barber, Jack Huffman, James Killeben, Moses Oldburn and M. D. Davin, of the County of Montgomery, be, and they are hereby constituted, a body politic and corporate, by the name of "The Montgomery and Cumberland River Coal and Oil Company," with all the rights, powers and privileges that are hereby granted to "The New York and Tennessee Petroleum and Mining Company."

Montgomery &
Cumberland R.
Coal and Oil Co.

SEC. 13. *Be it further enacted*, That this Act shall take effect from the date of its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 10, 1865.

CHAPTER XXXV.

AN ACT to re-charter the Tennessee Marine and Fire Insurance Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Joseph Vaulx, Wm. T. Berry, Samuel J. Carter, Joseph B. Knowles, Samuel Watkins, John M. Hill, James A. McAllister, or any three

Books.

of them, be, and are hereby, authorized to open subscriptions in Nashville, for the capital stock of said Company, on Monday, the 25th day of June next, and keep them open every day between the hours of 10 A. M. and 4 P. M., until Saturday, 4 o'clock P. M., the 30th day of the same month: *Provided*, The present stockholders in said Company shall have the right to subscribe for stock not exceeding the amount now held by them in said Company; and the subscribers to the stock of the Company, and their successors, shall be, and they are hereby, declared to be a body politic and incorporate, by the name and style of the "Tennessee Marine and Fire Insurance Company," and by that name shall so continue until the first day of January, eighteen hundred and ninety-five, and be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity, or elsewhere; and to make and use a common seal, and the same to alter or renew at their pleasure; and generally to do and perform all things relative to the objects of this institution which now is or shall be lawful for any individual or body politic or corporate to do.

Powers.

Capital Stock.

SEC. 2. *Be it further enacted*, That the capital stock of this Company shall be one hundred thousand dollars, to be increased at the pleasure of the stockholders, not to exceed three hundred thousand dollars, divided into shares of fifty dollars each: fifteen dollars on each share shall be paid at the time of subscribing, and ten dollars on each share shall at the same time be secured by negotiable notes with security, to be approved by the President and Directors, payable in one of the banks in Nashville in ninety days from the date, to the President, Directors and Company of said "Tennessee Marine and Fire Insurance Company:" the balance of said stock shall be secured by notes not having more than six months to run, with personal security, to be approved by the President and Directors.

SEC. 3. *Be it further enacted*, That so soon as five hundred shares are subscribed for and paid, or secured to be paid, the Company shall be competent to transact all kinds of business for which it is established; and it shall be lawful for the stockholders to meet as hereafter directed and choose their Directors.

SEC. 4. *Be it further enacted*, That said corporation is hereby authorized and empowered to hold, possess, and acquire, and the same to sell and convey, all such

real estate as may be necessary for the transaction of its business, or which may be conveyed to said Company for the security of any debt which may become due or owing, or in satisfaction of any judgment or decree rendered in favor of said Company, and may make such regulations as may be necessary and proper for the good government of said Company. Powers.

SEC. 5. *Be it further enacted*, That the said Tennessee Marine and Fire Insurance Company shall have full power and authority to make insurances on ships and other sea vessels; and upon steamboats, flat-boats, and other river boats; upon freight, seamen's wages, wares and merchandise, and gold and silver, bullion, or money, against all maritime risks of the rivers, seas, or lakes; and upon houses, stores, and other buildings, goods, wares, merchandise, furniture, and other articles, against fire, and upon bottomry and respondentia, and fix a premium thereon. And the said Company shall have power—first, to take insurance on lives; second, to receive and hold land under grants, with general or special covenants, so far as the same may be necessary for the transaction of their business; or when the same may be taken in payment of debts due the Company, or purchased upon sale made under any law of this State, so far as the same may be necessary to protect the rights of said Company, and the same again to sell, convey, and dispose of; and generally to do and perform all other things necessary to promote these objects. Powers.

SEC. 6. *Be it further enacted*, That it shall be lawful for said Company to invest any part of its capital stock, money, fund, or other property, in any public stock or funded debt, created or to be created, by or under any laws of the United States or this (or any other) State, or in the stocks of any chartered bank in this State or of the United States, and the same to sell or transfer at pleasure; and again, to invest the same whenever and so often as the exigencies of said Company or a due regard for the safety of its funds shall require; or they may loan the same, or any part thereof, to individuals or public corporations, on real or personal security, for such periods of time as the Directors for the time being shall deem prudent and best for the interest of said Company. Privileges.

SEC. 7. *Be it further enacted*, That the real and personal estate, business, property, and fund of said Company, and the administration of its affairs, shall be under the direction, management and control of a

Board of eleven Directors, each of whom shall be owners in their own names of not less than ten shares of the capital stock of said Company, citizens of the United States and of this State.

Election.

SEC. 8. *Be it further enacted,* That an election shall be held after the first election, for the Board of Directors for said Company, at the office of said Company in Nashville, on the first Monday in October in each year and every succeeding year, of which ten days' notice shall be given in at least two of the newspapers printed in Nashville, each shareholder giving one vote for each share of which he or she may be the owner, but no shareholder shall be entitled to more than thirty-five votes; and the persons so elected shall serve as Directors for the next succeeding twelve months; and if at any time an election shall not be held as herein provided, the said Company shall not be dissolved; but the Board of Directors for the time being shall serve until another election takes place, which may be at any time thereafter, the Board for the time being giving at least ten days' notice thereof in two of the newspapers printed in Nashville; and the said Directors are hereby authorized to fill any vacancy that may happen through death, resignation or otherwise.

Officers.

SEC. 9. *Be it further enacted,* That the Directors so elected shall elect one of their body President of said Company, who shall serve until the next annual election; and in case of his death, resignation, or removal, the Board shall appoint a President *pro tempore*: they shall fill all vacancies which may occur in their own body, and shall appoint a Secretary, and all subordinate officers, clerks, agents, and servants of said Company; fix their compensation, define their powers, and prescribe their duties; who shall hold their offices during the pleasure of the Board.

Board.

SEC. 10. *Be it further enacted,* That the President and four Directors, or five Directors in the absence of the President, shall constitute a quorum to transact business for said Company. The Board of Directors shall have full power and authority to establish agencies in this State, and any other State or States, appoint agents and other assistants for conducting the business of the same, and prescribe the mode and amount of their compensation; to appoint, from their own body, Risk and other committees, and establish by-laws and other regulations deemed necessary for

the proper management of the business of said Company.

SEC. 11. *Be it further enacted*, That the stock of said Company shall be held and considered personal property, and it shall not be assigned or transferred, except on the books of the Company, and with the assent of two-thirds of the Directors, and in the manner and forms which shall be prescribed by the Board of Directors; yet such stock to be liable for the satisfaction of debts, as prescribed by law.

Transfers.

SEC. 12. *Be it further enacted*, That on the first Mondays of October and April of each year, half-yearly statements shall be made exhibiting a true statement of the condition of the Company, which shall be laid before the stockholders, and such dividends may be made as the President and Directors may deem advisable, but they shall in no case diminish the capital stock.

SEC. 13. *Be it further enacted*, That if at any time a stockholder shall fail to pay such installments on his stock as may be called for at the time and in the manner prescribed, the Board of Directors, for the time being, shall have full power to declare such stock forfeited, and shall, after giving ten day's notice thereof, offer the same for sale, at public auction, to the highest bidder, for cash, and the number of shares so sold shall be transferred by the President of the Board of Directors, to the highest bidder, who shall, by virtue of such transfer, become a member of said Company, and if the sum bid be not equal to the amount paid and the call for which it is sold, the Company may proceed to collect the residue from the original stockholder, by suit in any court or tribunal of this State having jurisdiction thereof.

Forfeiture of Stock.

SEC. 14. *Be it further enacted*, That the Board of Directors shall have the power at any time, when, in their opinion, the interest of the Company requires it, to demand of any stockholder additional security for such part of his stock as may remain unpaid, and if such stockholder fail or refuse to give such additional security, to the satisfaction of the Board of Directors, they may declare such stock forfeited, and sell the same as provided for in the preceding section.

Security.

SEC. 15. *Be it further enacted*, That so soon as the amount of stock mentioned in the third section of this Act is subscribed for, and after five days' notice in two of the newspapers published in Nashville, signed

Election.

by any three members of the Company, the stockholders shall meet at such time and place as may be appointed within the city of Nashville, and elect, by ballot, the first Board of Directors—a plurality of votes given shall elect—and the persons so elected shall, at their first meeting, elect one of themselves President of the Board, who, with said Directors, shall serve until the first Monday in October, 1866, and until another Board of Directors is elected.

Liability

SEC. 16. *Be it further enacted*, That no stockholder, or member of this Company, shall be answerable in his person or individual property for any contract or agreement of said Company, or for any losses, deficiencies or failures of the capital stock of this Company, but the whole of said capital stock, together with all property, rights and credits belonging thereto, and nothing more, shall, at any time, be answerable for the demands against said Company: *Provided*, That any Director, or Directors, who shall sanction or aid in the continuance of said Company, after it shall become insolvent and unable to meet its liabilities, and said fact known to the Directors, shall be held personally responsible for all deposits thereafter made, or liabilities thereafter incurred, by said Company.

SEC. 17. *Be it further enacted*, That nothing herein contained shall be so construed as to give the Company hereby created the power of issuing bills of credit, or exercising banking privileges.

SEC. 18. *Be it further enacted* That nothing herein contained shall be so construed as to prevent the Legislature from granting similar powers and privileges to similar associations.

SEC. 19. *Be it further enacted*, That the Company hereby created shall have all the rights and privileges that belong, by existing laws, or that may hereafter be granted, to other Insurance Companies of this State.

SEC. 20. *Be it further enacted*, That should the requisite amount of stock not be subscribed by the time specified in section one, those appointed to open subscriptions, or any three of them, may, from time to time, reopen books for the subscription of stock in this Company, until the proper amount be taken: *Provided*, The time allowed for said subscriptions shall terminate on the first day of December next.

SEC. 21. *Be it further enacted*, That a bonus to the State of half of one per centum upon their capital, be paid for the use of common schools in the State of Tennessee.

SEC. 22. *Be it further enacted*, That the law requiring the Union Insurance Company, and the Life Insurance Company, called "The East Tennessee Mutual and Trust Company," to deposit with the Comptroller of the State twenty thousand dollars of six per cent. bonds of the State, be, and is hereby repealed.

SEC. 23. *And be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Passed June 10, 1865.



RESOLUTIONS.

NUMBER I.

Joint Resolution to compare the Vote for Governor.

Resolved by the General Assembly of the State of Tennessee, That the two Houses meet in the Representatives' Hall, on Tuesday the 4th inst., for the purpose of comparing the vote cast in the election for Governor, held on the 4th day of March, 1865, in the State of Tennessee.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER II.

A Joint Resolution of Respect to the Memory of Hon. Samuel K. McCammon.

1. *Resolved by the General Assembly of the State of Tennessee, That we deeply regret the death of Hon. Samuel McCammon, Joint Representative from the Counties of Knox and Sevier. That in his death this body has lost an experienced and useful member, the State a good citizen, the Government a firm and ardent supporter.*

2. *Resolved, That we sympathize with his bereaved wife and children, and as a token of respect for his memory, that we wear the usual badge of mourning for thirty days.*

3. *Resolved, That a copy of these resolutions be for-*

warded to his widow, and the same be spread on the Journal of this House.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER III.

Senate Resolution to Print Rules for its government.

Resolved, That one hundred copies of the Rules of 1859 and '60, adopted on yesterday, be published for the use of the Senate.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER IV.

Senate Resolution fixing number of Papers to be taken by Members.

Resolved, That the members of the Senate select each, three of the daily papers of this city, and no more, and that the same be paid for out of the State Treasury.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER V.

Senate Resolution Inviting Gen. Thomas to a Seat in the Senate.

Resolved, That Major General George H. Thomas be invited to visit the Senate, and that a Committee of three be appointed to notify him of this invitation.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER VI.

Senate Resolution to open the Senate with Prayer.

Resolved, That the daily proceedings of the Senate shall be opened by Prayer, and to this end the Speaker be authorized to invite the loyal clergymen present in the city to officiate.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER VII.

Joint Resolution to notify the Governor of his Election.

Resolved by the General Assembly of the State of Tennessee, That a Committee of two be appointed on the part of the Senate, and such Committee as the House of Representatives may appoint, to notify his Excellency, Governor William G. Brownlow, of his election as Governor of the State of Tennessee, and request him to designate, what time will suit him to be inaugurated.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 4, 1865.

NUMBER VIII.

Joint Resolution to meet in Convention to Inaugurate the Governor.

Resolved by the General Assembly of the State of Tennessee, That the Senate will meet the House of Representatives in the Hall of the latter at 11 o'clock, A.M., on to-morrow, to participate in the inauguration ceremonies.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 5, 1865.

NUMBER IX.

Joint Resolution adopting the Amendments of the Constitution of the United States
Abolishing Slavery.

Resolved by the General Assembly of the State of Tennessee, That the Amendments of the Constitution of the United States, proposed by the Congress of the United States, on the first day of February, 1865, in the words and figures following, to wit:

“Resolved by the Senate and House of Representatives of the United States, in Congress assembled, (two-thirds of both Houses concurring,) That the following Article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by the Legislatures of three-fourths of said States, shall be valid, to all intents and purposes, as a part of the Constitution, namely:

ARTICLE VIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this Article by appropriate legislation.

Approved February 1, 1865. A. LINCOLN.”

Be and the same is hereby ratified as a part of the Constitution of the United States of America.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 5, 1865.

NUMBER X.

A Joint Resolution tendering the thanks of the General Assembly of State of Tennessee to Gen. Thomas.

WHEREAS, The Major General commanding the Department of the Cumberland has directed Brevet

Brigadier General Donaldson, Chief Quartermaster, to give free transportation on United States Military Railroads to Senators and Representatives of the State, and the Quartermaster has requested in writing, that the information be furnished to him; therefore,

Resolved by the General Assembly of the State of Tennessee, That the thanks of the General Assembly of the State of Tennessee are hereby tendered to Maj. Gen. Thomas, commanding, for his kindness and liberality; and that the Clerk of the Senate furnish to Brevet Brig. Gen. Donaldson a list of the names of the Senators, and that the Clerk of the House furnish a list of the names of the members of the House and their officers and reporters, in compliance with his request.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 10, 1865.

NUMBER XI.

Joint Resolution tendering the thanks of the loyal People of Tennessee to the Legislature of Ohio.

WHEREAS, The Legislature of Ohio did, on the 31st day of March, 1864, pass a Joint Resolution instructing their Senators and requesting their Representatives in Congress to use their influence to have enacted proper laws to feed, clothe, and furnish transportation to the destitute people of East Tennessee, who, by the ravages of war were compelled to leave their homes and seek homes in a strange land amongst strangers. And

WHEREAS, Said Resolution was, in the opinion of the people of East Tennessee, one of the legitimate offsprings of the patriotism and love of country of the gallant and self-sacrificing people of Ohio, and strengthened the bonds of friendship and brotherly love existing between the loyal people of Tennessee and Ohio; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the thanks of the loyal people of the State

of Tennessee are hereby tendered to the Legislature of Ohio for this manifestation of their confidence and esteem, and for this Christian and patriotic offer to relieve the destitute of our State.

Resolved, That the Secretary of State be, and he is hereby instructed to transmit immediately a copy of this Preamble and Resolutions to the Secretary of State of Ohio, with a request that he lay the same before the Legislature of said State now in session.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 11, 1865.

NUMBER XII.

Joint Resolution directing the State Treasurer to pay to Members of the Legislature the amount due them.

Resolved by the General Assembly of the State of Tennessee, That the Acting Treasurer of the State pay to each member of the Senate and House of Representatives, and the officers thereof, the amount that may be due them when they apply for the same, and take a receipt for the same, which shall be good at the close of the session in the settlement of their accounts.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 11, 1865.

NUMBER XIII.

Joint Resolution to Elect a Secretary of State.

WHEREAS, A vacancy has occurred in the office of Secretary of State; therefore,

Resolved by the General Assembly of the State of Ten-

nessee, That the Senate and House of Representatives meet in Convention in the Representative Hall, on Monday, the 17th day of April, at 2 o'clock, P. M., to fill said vacancy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 12, 1865.

NUMBER XIV.

Joint Resolution to raise a Committee on the State Library.

Resolved by the General Assembly of the State of Tennessee, That a Joint Committee be appointed on the State Library, two on behalf of the Senate and three on behalf of the House of Representatives.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 12, 1865.

NUMBER XV.

Joint Resolution to appoint a Joint Committee of the two Houses to report Joint Rules and Regulations for the government of both Houses.

Resolved by the General Assembly of the State of Tennessee, That the Speaker of the Senate appoint a Committee of three, to act in conjunction with such Committee as may be appointed on the part of the House of Representatives, to report Joint Rules and Regulations for the government of the two Houses.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 12, 1865.

NUMBER XVI.

Joint Resolution to raise a Joint Committee to Re-District the State.

Resolved by the General Assembly of the State of Tennessee, That a committee of five on the part of the Senate, and such number as the House of Representatives may appoint, shall constitute a Joint Committee, who shall report a bill re-Districting the State for Members of Congress, and Senators and Representatives to the State Legislature, as required by law.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 12, 1865.

NUMBER XVII.

Joint Resolution to appoint a Committee to Investigate the Past and Present Condition and Management of the Penitentiary.

Resolved by the General Assembly of the State of Tennessee, That the Committee on the Penitentiary be, and they are hereby, constituted a Joint Committee to investigate the past and present condition and management of the Penitentiary, and that they be authorized to send for persons and papers.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 14, 1865.

NUMBER XVIII.

Joint Resolution appointing a Committee to report what Action should be had with reference to the Death of President Abraham Lincoln.

WHEREAS, The members of the General Assembly have learned with sadness and sorrow of the melancholy death, by assassination, of Abraham Lincoln,

late President of the United States; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That there be a Joint Committee of five in the Senate and five in the House of Representatives, to be appointed by the respective Speakers, to take into consideration and report what action should be taken by the Legislature on the mournful and sorrowful occasion.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 17, 1865.

NUMBER XIX.

Joint Resolution expressing the Sense of the General Assembly on the Death of President Abraham Lincoln.

WHEREAS, The death of Abraham Lincoln, President of the United States, in the full vigor of his physical and mental faculties, by the hand of an assassin, is a bereavement that extends to all parts of the nation; and particularly does it affect the people of those States who have, for years, been suffering from the weight of military rule, made necessary by the rebellion, and who were endeavoring to restore their political relationship to the Government of the United States.

WHEREAS, In his death the nation mourns the loss of one of her most gifted and worthy sons—the highest officer—the President—and slain because he was the President of the United States. It is right and proper that the General Assembly of the State of Tennessee should express, as such, in an appropriate manner, its sorrow at his death; its condemnation of the assassin, who committed, and the men who plotted, the hellish deed; its appreciation of the high intellectual, moral and social qualities which ever characterized his private life; and its approval of the large-hearted patriotism which marked his administration, showing that his course of action was impelled by humanity rather than calculation.

WHEREAS, The laborious duties of the Executive

Office during the trying times of the great Rebellion, gave ample scope to a heart full of sympathy and warm affections. As President, he had a wide field for manly action. *There* was displayed his love of the right and his scorn for the wrong. *Here* his large-heartedness was made conspicuous, and his generosity and charity bore fruit. He was, as President, a model. The honors he coveted were honorable. With a wise and lofty patriotism, unsurpassed by any, he applied the powers of his great mind to work out the true principles upon which the Union of the States could be preserved. The measures proposed were as nothing, unless they were calculated to accomplish the end so earnestly desired. His recommendations were always directed towards its maintenance, and were uniformly enforced with a facility and aptness of illustration which seemed inexhaustible.

WHEREAS, Abraham Lincoln's originality of manners, his humor, wit, sarcasm and wondrous powers of ridicule, were weapons particularly his own, which no one else could imitate. Add to these qualities courage, will and indomitable persistency of purpose, which never flagged or faltered, and he was a power felt and acknowledged by the nation. Take him all in all, it will be long ere we look upon his like again.

WHEREAS, He is dead, but the days of his pilgrimage, although in troublesome times, were full of honor, love and troops of friends. The nation mourns. Peace be with him. Therefore, be it

Resolved by the General Assembly of the State of Tennessee, That in the death of Abraham Lincoln, President of the United States, we mourn in heart-felt sorrow the loss of the nation.

Resolved, That in token of his memory we wear the usual badge of mourning, and that our respective halls be draped in the habiliments of woe.

Resolved, That we cannot find language strong enough to express our condemnation of the assassin, who performed, and the conspirators, who plotted, the deed, and heartily desire that they meet a speedy and deserved punishment.

Resolved, That we deeply condole with the family of the deceased in this the hour of their great bereavement, and fully sympathize with them in their terrible affliction and overwhelming grief.

Resolved, That a copy of these resolutions be for-

warded to the family of the deceased by the Secretary of State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 17, 1865.

NUMBER XX.

Joint Resolution to support the Administration of President Johnson.

Resolved by the General Assembly of the State of Tennessee, That confiding in the patriotism and integrity of Andrew Johnson, we will give his Administration of the Government, the same cordial support accorded by the loyal people of the nation to his predecessor.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 17, 1865.

NUMBER XXI.

Joint Resolution requesting the Governor of the State to communicate certain facts to the President of the United States.

Believing that the time has arrived in the political status of the State of Tennessee, when the loyal people of said State are anxious and desirous that civil law and order should be restored and prevail throughout the borders of the whole State, and that they should once more be permitted to resume their political and social relations with the Government of the United States of America. To accomplish this end, therefore be it

Resolved by the General Assembly of the State of Tennessee, That his Excellency, the Governor of the State of Tennessee, is hereby requested to make known to the President of the United States, the actions and

proceedings of the late State Convention, begun and held in Nashville on the 9th day of January, 1865, with regard to the Amendments to the Constitution of the State of Tennessee; also of the ratification of said Amendments by the loyal people of said State, at the ballot-box, on the 22d day of February last.

Resolved further, That his Excellency, the Governor, also make known to the President of the United States the action of the present Legislature of the State of Tennessee upon the adoption of the Amendment to the Constitution of the United States; and that he respectfully request the President of the United States to make known to the loyal citizens of the State of Tennessee, by Proclamation or otherwise, that the State of Tennessee be no longer considered in a state of insurrection, and that the loyal people of said State be granted all the rights and privileges that are granted or allowed to the loyal citizens of any of the sister States, that are not considered in a state of rebellion against the Government of the United States.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 21, 1865.

NUMBER XXII.

Joint Resolution allowing Mileage to Messrs. Grantham and Tighe.

Resolved by the General Assembly of the State of Tennessee, That Willis Grantham, the applicant for the seat of Furney Jones, from the County of Claiborne, and Samuel Tigh, the contestant for the seat of M. T. Ryder, from the County of Shelby, be allowed their mileage and per diem up to this day, and that the amount so appropriated be included in the General Appropriation Bill; it appearing to the satisfaction of the Legislature that their claims were meritorious, if not legal.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted April 22, 1865.

NUMBER XXIII.

Joint Resolution to meet in Convention to elect a Comptroller.

WHEREAS, A vacancy has occurred in the office of Comptroller of the Treasury; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Senate and House of Representatives meet in Convention on Tuesday, the 25th day of April, at 10 o'clock A. M., to fill said vacancy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 22, 1865.

NUMBER XXIV.

Joint Resolution raising a Joint Committee on Ways and Means.

Resolved by the General Assembly of the State of Tennessee, That the Committee on Finance and Ways and Means, of the Senate, and the Committee on Ways and Means of the House of Representatives, shall constitute a Joint Committee on Ways and Means.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 24, 1865.

NUMBER XXV.

Joint Resolution to meet in Convention to elect Registers of Land Offices.

Resolved by the General Assembly of the State of Tennessee, That the Senate will meet the House of Representatives in the Hall of the latter on the 29th inst., at 11 o'clock A. M., to elect Registers of the Land Of-

fices for the Districts of Eastern, Middle, Western,
and the Mountain District of Tennessee.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 24, 1865.

NUMBER XXVI.

Joint Resolution for the benefit of V. Myers.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller of the Treasury of the State pay V. Myers, contestant for the seat in the 4th Senatorial District, the mileage and per diem that would have been due him if he had been admitted to his seat.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 24, 1865.

NUMBER XXVII.

Joint Resolution to meet in Convention to Elect Secretary of State.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in Joint Convention in the Hall of the latter, on Thursday, the 27th inst., at 10 o'clock, for the purpose of electing a Secretary of State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 28, 1865.

NUMBER XXVIII.

Joint Resolution to meet in Convention to Elect a Treasurer and Secretary of State.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the Hall of the latter, on the 27th inst., at 10 o'clock, to elect a State Treasurer at the same time of the election of Secretary of State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 25, 1865.

NUMBER XXIX.

Joint Resolution in regard to the State Library.

Resolved by the General Assembly of the State of Tennessee, That the "State Library" be opened during the meeting of the General Assembly, from 8 o'clock, A. M., until 5 o'clock, P. M., continuously.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 27, 1865.

NUMBER XXX.

Joint Resolution to meet in Convention to elect Senators to the United States Congress.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the Hall of the latter on Thursday, 4th

of May next, at 10 o'clock, for the purpose of electing two Senators to the next Congress of the United States.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 24, 1865.

NUMBER XXXI.

A Joint Resolution to declare the Office of Comptroller of the Treasury of the State of Tennessee vacant.

WHEREAS, The two Houses met in Convention in the Representative Hall on the 25th of April, and voted for a Comptroller; and

WHEREAS, A majority of the votes cast in said election was for Hon. J. R. Dillon for said office; and

WHEREAS, Part of the tenth section of the second Article of the Constitution of the State of Tennessee is as follows, viz: "No Senator or Representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointment of which is vested in the Executive or the General Assembly, except to the office of Trustee to a literary institution;" and

WHEREAS, It appearing from the above recited clause of the State Constitution that Mr. Dillon was not eligible to said office on account of his holding a seat in this Legislature; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That we now declare the office of Comptroller of the Treasury of the State of Tennessee now vacant and should be filled by the election of some competent and eligible person to fill said vacancy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 29, 1865.

NUMBER XXXII.

Joint Resolution to meet in Convention to Elect a Public Printer.

Resolved by the General Assembly of the State of Tennessee, That the members of the Senate and the House of Representatives meet in the Hall of the House on Tuesday, the 2d day of May, for the purpose of electing a Public Printer.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 29, 1865.

NUMBER XXXIII.

Joint Resolution to meet in Convention to Elect a State Librarian.

Resolved by the General Assembly of the State of Tennessee, That the two Houses meet in Convention in the Hall of the House of Representatives on Tuesday, the second day of May, at 10 o'clock, A. M., for the purpose of electing a State Librarian.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted April 29, 1865.

NUMBER XXXIV.

Joint Resolution offering a Reward of Five Thousand Dollars for the apprehension of Isham G. Harris.

WHEREAS, Treason is the highest crime known to the laws of the land, and no one is presumed to understand the true meaning of the term better than Governors of States, and certainly no one should be held to a more strict account for their treason. And

WHEREAS, The State of Tennessee, before the rebellion enjoyed a high social, moral, and political position, and had the well-earned reputation of the Volunteer State. And

WHEREAS, By the treason of one Isham G. Harris, Ex-Governor of Tennessee, the State has lost millions of dollars; and thousands of the young men of the State have been killed in battle and died of disease, and thousands of the middle-aged and old men have been murdered and imprisoned, and defenceless women and children driven from the State, heart-broken and pennyless. And

WHEREAS, The voters of Tennessee did, in the month of February, 1861, by a majority of sixty thousand, repudiate treason and rebellion, but the aforesaid Isham G. Harris, well knowing the true sentiments of the State upon treason and rebellion, and wholly disregarding the overwhelming expression of popular sentiment, did use his position as Governor as aforesaid, to put the State in rebellion and hostility to the Government of the United States, and is guilty of treason, perjury, and theft, and is responsible to a great extent for the war, misery, and death of thousands of the citizens of the State and for the desolation of the same from East to West and from North to South. The cries of the wounded and dying, the wail of the widow, the weeping of the orphan, come to us upon every breeze, imploring us to punish the instigators of the rebellion. Therefore, for the reasons aforesaid, be it

Resolved by the General Assembly of the State of Tennessee, That the Governor of the State is hereby authorized and instructed to offer a reward of five thousand dollars for the apprehension and delivery to the civil authorities of the State, the aforesaid Isham G. Harris; and he shall fully describe said fugitive from justice, and shall make publication for three months, or longer, if he may think proper, in one newspaper in each of the grand divisions of the State, and a paper published in Richmond, Virginia; Raleigh, North Carolina; Savannah, Georgia; Little Rock, Arkansas; New Orleans, Louisiana; and shall publish the preamble with his proclamation.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 1, 1865.

NUMBER XXXV.

A Joint Resolution to meet the House in Convention to Elect a State Comptroller.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in Joint Convention, on Thursday, the second day of May, at ten o'clock, to elect a State Comptroller.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate

Adopted May 1, 1865.

NUMBER XXXVI.

Joint Resolution to raise a Joint Committee to wait on the National Banks of the State.

Resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the Senate, and such committee as the House of Representatives may appoint, shall constitute a Joint Committee, to ascertain what, if any, arrangements can be made with the National Banks in each Division of the State, to receive the public funds of the State, and disburse the same, as is now provided by law for the Bank of Tennessee and Branches.

Resolved, That said Committee report as early as possible.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 2, 1865.

NUMBER XXXVII.

Joint Resolution to meet in Convention to Elect an Entry-Taker for the Ocoee District.

Resolved by the General Assembly of the State of Tennessee, That the Senate and House of Representatives meet in the hall of the latter, on Tuesday, the second day of May next, for the purpose of electing a Register and Entry-Taker for the Ocoee District, in the State of Tennessee.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 2, 1865.

NUMBER XXXVIII.

Joint Resolution appointing Commissioners to Settle with the Louisville and Nashville Railroad.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller, Secretary of State, Attorney-General of the State, and Commissioner of Public Roads of the State of Tennessee, be, and are hereby constituted, Commissioners on behalf of the State of Tennessee, to meet and make a settlement with the Louisville and Nashville railroad Company, and make a report thereof to this Session of the General Assembly, if practicable, if not, to the next Session of the same.

Be it further resolved, That if such settlement cannot be made by said Commissioners, with said Louisville and Nashville Railroad, as shall be satisfactory to them, the fact shall be made known to the Governor of the State, and he may direct the Attorney-General of the State to institute such legal proceedings against said Company as may be necessary to protect the interests of the State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 5, 1865.

NUMBER XXXIX.

Joint Resolution Applying to the President for Troops.

WHEREAS, The Fourth Section of the Fourth Article of the Constitution of the United States provides that the United States shall guarantee to every State of this Union a Republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the Executive, when the Legislature cannot be convened, against domestic violence. And

WHEREAS, The State of Tennessee is one of the States of this Union, and is constantly invaded by armed bands of guerillas from the so-called Confederate States, and subject at all times to violence by domestic traitors, murdering and robbing the loyal citizens, stealing and carrying off their property, and hindering, delaying and preventing the execution of the civil laws of the State. And

WHEREAS, The greater portion of the young and middle-aged loyal men are in the United States army, and the old men have neither arms nor ammunition—consequently defenceless—and the financial condition of the State is such that it is impossible to create a fund to clothe, arm, feed and pay troops for State defense, to meet the usual expenditure of the State, and provide for the payment of the interest accrued on the bonds of the State, together with Tennessee's portion of the twenty million apportioned amongst the States by an Act of Congress of August, 1861, will be all, if not more than the people can possibly meet; therefore, be it

Resolved by the General Assembly of State of Tennessee, That the Legislature of the State aforesaid, by virtue of the authority of the Fourth Section of the Fourth Article of the Constitution of the United States aforesaid, do make this application to His Excellency, Andrew Johnson, President of the United States, and Commander-in-Chief of the Army of the same, to place under the direction and control of the proper military authority, in pursuance of the Constitution and laws of the United States, and under the control and direction of such authority as in his opinion may be right and proper, a sufficient number of Tennessee troops now in the United States service to repel invasion, and drive the invader from the

State, and suppress any and all violence by armed domestic traitors, to protect loyal citizens, and aid and assist the civil officers in executing the civil laws of the State.

Resolved, That the Secretary of State shall, immediately after the passage of this resolution, transmit a copy of the same, together with the preamble, under the Great Seal of the State, to the President of the United States, asking him to notify the Legislature now in session, at as early a day as convenient, what action he will take in the premises.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 9, 1865.

NUMBER XL.

A Joint Resolution appointing a Committee to Memorialise Congress.

WHEREAS, By the presence of the Federal troops in the State of Tennessee, rendered necessary by the armed resistance to the laws of the United States of a portion of its citizens, many military supplies have been taken from the loyal citizens of the State in an irregular manner, and much damage has been done to the property of unconditionally loyal citizens; and

WHEREAS, By Article 5 of the Amendments to the Constitution of the United States, it is declared that private property shall not be taken for public use without just compensation; and

WHEREAS, The loyal citizens of Tennessee are entitled to the same consideration and protection as are the loyal citizens of any other State of the Union; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That a committee of two on the part of the Senate, and five on the part of the House, be appointed, to prepare a Memorial to the Congress of the United States, setting forth the obligations of the Government of the United to pay the loyal citizens of Tennessee for property taken from them by officers

and soldiers of the United States, and praying that some legislation be had by Congress, making provisions to enable those loyal citizens, who may have sustained losses in the manner already described, to prove such losses, and that an appropriation be made by Congress to pay such loyal claimants.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 10, 1865.

NUMBER XLI.

Resolution of Enquiry in relation to the Hermitage Property.

Resolved, That His Excellency, the Governor, be, and he is hereby requested, to communicate to the Senate, all the information in his possession in reference to the present status of the Hermitage property, including an account of its purchase by the State, the amount paid for it, and all subsequent legislation in regard to it, and what acts of ownership have been exercised over it by the State, and all other information he may deem proper, as well as any recommendation he may have to offer, regarding its future management.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 12, 1864.

NUMBER XLII.

Joint Resolution raising a Joint Committee on the Elective Franchise.

Resolved by the General Assembly of the State of Tennessee, That the Judiciary Committee of the Senate and the Judiciary Committee of the House of Repre-

sentatives, compose a Joint Committee on the subject of the Elective Franchise, and be instructed to bring in a bill on that subject to-morrow for action on that day.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 16, 1865.

NUMBER XLIII.

Joint Resolution requesting the Governor to lay before the Legislature certain Correspondence.

Resolved by the General Assembly of the State of Tennessee, That the Governor be, and is hereby requested, to lay before the Legislature all correspondence, if any, he may have had with James T. Dunlap, late Comptroller of the Treasury, relative to a return of the archives of the State; also with Vernon K. Stevenson, President of the Nashville and Chattanooga Railroad Company, relative to said Road. Also, with Granville C. Torbett, late President of the Bank of Tennessee, relative to a return of the assets of said Bank, if, in the opinion of His Excellency, the said information will not be detrimental to the public welfare.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 19, 1865.

NUMBER XLIV.

A Joint Resolution declaring certain Civil Offices Vacant, and providing for Filling of the Same

WHEREAS, A war has existed in the State of Tennessee for four years, and during the greater part of that time all civil tribunals have been closed, and most

of the officers holding office have willfully abandoned their offices, and neglected or refused to perform the duties incumbent upon them by the laws of the land and in pursuance of the Constitution of the United States and of the State of Tennessee. And

WHEREAS, Many of the civil offices thus abandoned and vacated have been filled by appointments made by the acting Governor of the State since the 7th day of March, 1862, which should be ratified and confirmed; therefore,

Resolved by the General Assembly of the State of Tennessee, That all civil offices of the State of Tennessee, to which their respective incumbents were elected and qualified previous to the 6th day of May, 1861, and who, after such election and qualification, have voluntarily abandoned their offices and willfully neglected and refused to perform the duties required of them by law, are hereby declared vacant.

Resolved further, That all of the offices in the State of Tennessee that have been filled by appointment and election under the authority of the usurped State Government, after the declared Independence of the State of Tennessee, and after the 6th day of May, 1861, are hereby declared vacant.

Resolved further, That all civil officers who have been appointed since the 7th day of May, 1862, by His Excellency Andrew Johnson, Acting Governor of the State, or who have been elected and qualified under his various proclamations, are hereby ratified and confirmed, and they shall continue to hold and exercise the functions of their respective offices until successors shall be elected and qualified as prescribed by the laws and Constitution of the State of Tennessee and of the United States.

Resolved further, That His Excellency William G. Brownlow, Governor of the State, be, and he is hereby requested, as soon as in his opinion he deems it advisable to issue his proclamation ordering elections to be held in the respective Counties of the State where such vacancies have occurred, requiring the people of the State to fill such vacancies in pursuance of the laws of the State; and in the meantime, until such elections are held, that he proceed and fill the vacancies by the appointment of suitable and proper persons until their successors shall be elected and qualified. And the Governor is clothed with full power to appoint special officers to hold said elections for each County, with full power to appoint deputies

to perform all the duties as now required by law, where no regular officers are performing civil duties.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 20, 1865.

NUMBER XLV.

Joint Resolution to raise a Joint Committee to Examine into the Condition of the Bank of Tennessee and Branches.

Resolved by the General Assembly of the State of Tennessee, That a Joint Committee of one from the Senate and two from the House, be appointed to examine the condition of the Bank of Tennessee and Branches—a Committee to the principal Bank and one to each Branch, with liberty to send for persons and papers, and that they report to the regular session in October.

COMMITTEE ON THE PART OF THE SENATE APPOINTED UNDER THE ABOVE RESOLUTION.

Rogersville, Senator McKinney.

Athens, Senator McElwee.

Sparta, Senator Bosson.

Columbia, Senator Frierson.

Knoxville, Senator Rodgers.

Trenton, Senator Hall.

Memphis, Senator Smith.

Clarksville, Senator Peart.

Shelbyville, Senator Spence.

Summerville, Senator Hurst.

COMMITTEE OF THE HOUSE.

Principal Bank at Nashville, Messrs. Cooper and Lewis.

Branch at Rogersville, Messrs. Willis and Minnis.

Branch at Knoxville, Messrs. Heiskell and Donaldson.

Branch at Athens, Messrs. Henderson and Hood.

Branch at Sparta, Messrs. Anderson and Faulkner.

Branch at Columbia, Messrs. Arnell and Gilmer.

Branch at Shelbyville, Messrs. Mullens and Steele.
 Branch at Trenton, Messrs. McNair and Norman.
 Branch at Memphis, Messrs. Richards and Rider.
 Branch at Somerville, Messrs. Smith and Warren.
 Branch at Clarksville, Messrs. Wines and Mulloy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 20, 1865.

NUMBER XLVI.

Joint Resolution to Authorize the Secretary of State to take charge of the Senate Chamber and Hall of the House of Representatives.

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State, at the close of this session, shall have charge of the Senate Chamber, Representative Hall, and Committee Rooms, and cause all stationery, furniture, and other articles belonging to said Halls to be carefully preserved for the use of the next General Assembly; and shall be allowed by the Comptroller all necessary expenses incurred in preserving the same, and a reasonable compensation for his services.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 22, 1865.

NUMBER XLVII.

Joint Resolution to meet in Convention to Elect a Keeper of the Penitentiary.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representa-

tives on Monday, 29th inst., at 11 o'clock, A. M., for the purpose of electing a Keeper of the Penitentiary.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 22, 1865.

NUMBER XLVIII.

Joint Resolution of Thanks to Major General Stoneman.

Resolved by the General Assembly of the State of Tennessee, That the thanks of the loyal people of the State are due to Major General George Stoneman for the great skill and energy with which he conducted his two great raids into Virginia and North Carolina, by which he destroyed millions of dollars worth of the enemy's means of warfare, capturing many of their forces and effectually crippling them in their operations, and that he has our thanks for the ability and success with which he has conducted military operations in East Tennessee, and that he be furnished with a copy of this resolution, officially signed.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 22, 1865.

NUMBER XLIX.

Joint Resolution requesting information from the Bondholders of Tennessee Bonds.

WHEREAS, In order to provide for the payment of the State debt, when due and payable, and for the interest on the same, now due, it is desired to know the amounts of State Bonds outstanding, the numbers, dates, and names of holders,

Resolved by the General Assembly of the State of Ten-

nessee, That the Comptroller give public notice in one of the public prints of the cities of Nashville, Tenn.; Cincinnati, Ohio; Philadelphia, Penn.; New York, and Boston, Mass., requesting each Bondholder of the State Bonds of the State of Tennessee to transmit to said Comptroller, at his office at Nashville, a statement of his name, residence, the date and number of each Bond, and the amount and character of said Bond; and that he make report thereof to this General Assembly at its next session.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 22, 1865.

NUMBER L.

Joint Resolution directory to the Attorney General of the State.

Resolved by the General Assembly of the State of Tennessee, That the Attorney General of the State of Tennessee be, and he hereby is directed to institute inquiry into and investigate the title to the property situated in the city of Nashville, fronting on College and Cherry streets in South Nashville, known as the *Gun Factory*, and recently used as Hospital No. 1; and if the title is in the State of Tennessee, the said Attorney General defend, on behalf of the State, the suit now pending in the United States Court to libel and confiscate said property, and secure, if the same may be done, said property for the State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
 SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 22, 1865.

NUMBER LL

Joint Resolution taking charge of the Assets of the Bank of Tennessee.

Resolved by the General Assembly of the State of Tennessee, That the Governor, the Secretary of State, and Comptroller, be, and they are directed, to take charge of the assets of the bank of Tennessee, and the archives of the State, and receipt for the same.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 29, 1865.

NUMBER LII.

A Joint Resolution Providing for the number of Acts and Journals of the Legislature of 1865, to be Printed for Distribution.

SECTION 1. *Be it resolved by the General Assembly of the State of Tennessee, That there shall be printed of the Acts of the present Session of the Legislature, for distribution among the several counties in the State, as follows: For every Justice of the Peace, one copy; for each Sheriff, one copy; for each Circuit Court Clerk, one copy, for each County Court Clerk, one copy; for each Chancery Court Clerk, one copy; for each County Trustee, County Register, Coroner, Ranger, Entry-Taker, Surveyor and Poor-House Commissioner, one copy; for the use of the Trustees of Academies in each County, one copy of the Acts and Journals; for each of the Clerks and Doorkeepers of the House and Senate, one copy.*

SEC. 2. *Be it further resolved, That there shall also be printed, for distribution as aforesaid, one copy of the Journals of each branch of the Legislature for each Civil District in each County in this State, to-wit:*

COUNTIES.	No. of Acts.	No. of S. J.	No. of H. J.	COUNTIES.	No. of Acts.	No. of S. J.	No. of H. J.
Anderson.....	34	12	12	Macon.....	35	12	12
Bledsoe.....	39	14	14	McNairy.....	43	16	16
Blount.....	45	17	17	Madison.....	47	18	18
Bradley.....	37	13	13	Overton.....	41	14	14
Bedford.....	50	19	19	Obion.....	37	13	13
Benton.....	31	10	10	Polk.....	31	10	10
Campbell.....	39	14	14	Putnam.....	43	16	16
Carter.....	33	11	11	Perry.....	33	11	11
Claiborne.....	35	12	12	Rhea.....	32	10	10
Cocke.....	35	12	12	Roane.....	46	16	16
Cannon.....	35	12	12	Robertson.....	45	17	17
Cumberland.....	30	10	10	Rutherford.....	61	25	25
Cheatham.....	35	12	12	Stewart.....	35	12	12
Coffee.....	38	13	13	Sumner.....	50	19	19
Carroll.....	51	19	19	Seveir.....	35	12	12
Davidson.....	68	24	24	Scott.....	35	12	12
DeKalb.....	43	16	16	Sullivan... ..	47	18	18
Dyer.....	39	14	14	Sequatchie.....	27	8	8
Decatur.....	33	11	11	Smith.....	55	22	22
Dickson.....	35	12	12	Shelby.....	40	14	14
Hancock.....	39	14	14	Tipton.....	37	13	13
Hawkins.....	46	17	17	Union.....	30	12	12
Hamilton.....	49	18	18	Van Buren.....	31	10	10
Hardin.....	39	14	14	Wilson.....	65	25	25
Hickman.....	44	15	15	Warren.....	43	16	16
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SEC. 3. *Be it further resolved*, That there shall also be printed and bound, for each member of the Senate and House of Representatives, one copy of the Acts and one copy of the Journals, both of the House of Representatives and the Senate; for the office of the Secretary of State, two hundred copies of the Acts and fifty bound copies of the Journal of each House; for each Department of the Government of the United States, and for the United States Library, one copy of the Acts; for each Judge of the Supreme Court; for each Judge of the Circuit Court, for each Judge of the Criminal Court, for each Chancellor, for each County Judge in the State, for each Judge of the Criminal and Common Law Court in this State, one copy of the Acts; for each of the Supreme and Criminal Court Clerks, one copy of the Acts; for each Attorney General, one copy of the Acts; for the Treasurer and Comptroller, one copy of the Acts; and for each State and Territory, and the District of Columbia, two copies of the Acts.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted May 29, 1865.

NUMBER LII.

A Joint Resolution in relation to a certain class of Tennessee Union Soldiers who
lost their Lives in the Army of the Union during the Rebellion.

WHEREAS, A large number of Tennessee soldiers have died and been killed in battle, while serving the United States against a hostile Rebel foe, without having been duly mustered into service, and there being great deficiency in the records of the State pertaining thereto; therefore

Be it resolved by the General Assembly of the State of Tennessee, That the Adjutant General of the State be, and he is hereby authorized, to perfect—in a well bound book to be kept for that purpose—a complete record of all Tennessee soldiers who have belonged to the United States service during the present Rebellion, with such historical remarks as will enable them

or their families to obtain such bounty, arrears of pay, &c., as may be due them, and that he be allowed such compensation for his services as may be determined by subsequent legislation.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted May 29, 1865.

NUMBER LIV.

Joint Resolution directory to the Trustees of the Tennessee Hospital for the Insane.

WHEREAS, William A. Cheatham, M. D., late Superintendent and Physician of Tennessee Hospital for the Insane, has been called upon, by a resolution of the Senate, to communicate a detailed statement of the financial operations of that Institution from the first day of October, 1861, to the thirty-first day of July, 1862, during which period there is no report known to this General Assembly of the Institution, and there being other reasons why there should be an investigation of its affairs, and the late Superintendent and Physician having failed or refused to notice the resolution referred to above; therefore

Be it resolved by the General Assembly of the State of Tennessee, That the Board of Trustees are hereby instructed to investigate the books and accounts and management of Tennessee Hospital for the Insane, during the administration of William A. Cheatham, late Superintendent and Physician, and power is hereby given to send for persons and papers, and report the result to the next Session of this Legislature.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 2, 1865.

NUMBER LV.

Joint Resolution appointing a Committee to wait on the Major General Commanding the Department, and make Enquiries in relation to certain Assessments.

WHEREAS, It appears from the orders issued by the various military commanders of the United States, at different places in this State, that they are levying on persons who are permitted to trade under privileges granted to them by the authorities of the United States, and of the State of Tennessee, and collecting considerable sums of money; and

WHEREAS, It is desirable to know whether such action is in accordance with the wishes of the General commanding the Department; therefore

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of of the House and two on the part of the Senate, be appointed to call on the Major General commanding the Department, and ascertain whether such assessments are made under and by virtue of his orders, and if so, what action, if any, is necessary to be had in the premises.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted June 3, 1865.

NUMBER LVI.

A. Joint Resolution appointing a Committee to settle with Hon. Joseph S. Fowler, late Comptroller, and Acting Treasurer of the State.

Be it resolved by the General Assembly of the State of Tennessee, That a Joint Committee of three on the part of the House and two on the part of the Senate, be appointed to settle with the Hon. Joseph S. Fowler, late Comptroller and Acting Treasurer of the State.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted June 5, 1865.

NUMBER LVII.

Joint Resolution Directory to the Secretary of State.

Resolved by the General Assembly of the State of Tennessee, That the Secretary of State is hereby authorized to furnish the Clerks of the Courts of Record of this State, the Code of Tennessee, and the Acts of the General Assembly of the State, in all the counties where the books of said officers have been destroyed.

WILLIAM HEISKELL,
Speaker of the House of Representatives,
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 6, 1865.

NUMBER LVIII.

Joint Resolution requesting the Governor to employ an Attorney-at-Law.

Be it resolved by the General Assembly of the State of Tennessee, That the Governor be, and is hereby requested to employ an Attorney-at-Law for, and in behalf of, the State, to prosecute and defend all suits now pending in the Circuit Court of Davidson County, now in session, in the name of, or against, the Bank of Tennessee, and to be allowed such compensation as the Governor may think reasonable.

WILLIAM HEISKELL,
Speaker of the House of Representatives,
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 6, 1865.

NUMBER LIX.

Joint Resolution Directory to the Comptroller.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be, and is hereby

instructed, to prepare and have printed, a Circular containing all the subjects of taxation, together with the rates of taxation, and forward two copies of the same to the Clerks of the various County Courts of this State, that the same be done immediately.

Be it further resolved, That the Secretary of State be, and is hereby instructed, to have published in one newspaper published in the city of Nashville, the Chattanooga Gazette, Knoxville Whig, Flag of the Union, and the Memphis Argus, the Revenue Bill passed by the Legislature at its present session, for four successive weeks.

WILLIAM HEISKELL,
Speaker of the House of Representatives,
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 7, 1865.

NUMBER LX.

Joint Resolution Directory to the Keeper of the Penitentiary.

WHEREAS, There are now confined in the Penitentiary many convicts who have acquired no trades, owing to the difficulties of procuring material for them to work up, and that they are unemployed, because the Inspectors and Keepers have no power to employ them beyond the prison walls, unless authorized to do so; therefore

Be it resolved by the General Assembly of the State of Tennessee, That the Inspectors and Keepers of the Penitentiary are hereby authorized and empowered, whenever they may deem it advisable to do so, to employ the convicts in such work about the Capitol, or otherwise, outside of the Prison walls, as may be, by them, deemed advisable, looking to the safety of the convicts, and the best interests of the State.

WILLIAM HEISKELL,
Speaker of the House of Representatives,
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 9, 1865.

NUMBER LXI.

Joint Resolution postponing the business before the General Assembly.

WHEREAS, The present Session of the Legislature of Tennessee has been continued and protracted beyond our desire or expectation, from the necessity of circumstances, and the welfare of the State; and

WHEREAS, The business under consideration is of minor importance, and does not absolutely demand our immediate attention; therefore

Resolved by the General Assembly of the State of Tennessee, That all business which may be before the respective Houses on the 10th inst., at 12 o'clock, M., will be postponed until the October Session, and that the General Assembly of the State of Tennessee, adjourn on Monday, the 12th of June, 1865, to meet the first Monday in October, 1865.

WILLIAM HEISKELL,
Speaker of the House of Representatives,
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 10, 1865.

NUMBER LXII.

Joint Resolution to have published in certain Newspapers an Act to Limit the Elective Franchise.

Resolved by the General Assembly of the State of Tennessee, That the Act to Limit the Elective Franchise be published once a week from June 12th until the 6th day of August next, in the following papers, to-wit: Jonesborough Union Flag, Knoxville Whig, Chattanooga Gazette, Press and Times, Nashville Union, Nashville Dispatch, Memphis Argus, the paper published at Kingston, and the paper published at Greenville, and also any German paper published in Nashville, and in one German paper at Memphis.

Be it further Resolved, That the Comptroller issue his warrant to pay for the same.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 12, 1865.

NUMBER LXIII.

Joint Resolution of Thanks to Br't Brig. Gen'l J. L. Donaldson, C. Q. M., Department of the Cumberland, and Capt. Hunter Brooke, Provost Marshal.

Resolved by the General Assembly of the State of Tennessee, That the thanks of this General Assembly are most heartily and cordially tendered to Brig. Gen'l J. L. Donaldson, Chief Quartermaster of the Department of the Cumberland, for his kindness in furnishing a special car for the accommodation of the members, and for renewing their transportation over Military Railroads.

Resolved, That the thanks of this General Assembly are due, and are hereby tendered to Captain Hunter Brooke, Post Provost Marshal, for his uniform courtesy and kindness to the Members of this General Assembly.

Resolved, That a copy of these resolutions be furnished Gen'l Donaldson and Captain Brooke by the Secretary of State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. RODGERS,
Speaker of the Senate.

Adopted June 12, 1865.

NUMBER LXIV.

Joint Resolution Congratulatory at the Appointment of Maj. Gen'l Thomas to this Military Division.

WHEREAS, The pleasing intelligence has reached us that the distinguished soldier and commander, Maj. Gen'l G. H. Thomas, has been assigned to this Military Division,

Resolved by the General Assembly of the State of Tennessee, That we do most heartily congratulate our citizens upon the appointment of this model soldier, possessing as we do the most unbounded confidence in his ability and judgment, and believing that under his rule early peace and quiet and Unionism will prevail in every section of our State.

Resolved further, That we tender to the President

and War Department our special thanks for their assignment of Gen'l Thomas over this Military Division, and with his consent we propose to adopt him as a Tennessean, Gen. Thomas having endeared himself to us both by distinguished services and by many acts of noble and unostentatious kindness.

WILLIAM HEISKELL,

Speaker of the House of Representatives.

SAMUEL R. RODGERS,

Speaker of the Senate.

Adopted June 12, 1865.

[The following Act of Assembly was mislaid in the House and not deposited in the office of the Secretary of State until the other Acts were printed. It has been collated and found correctly printed.]

A. J. FLETCHER, *Sec. of State.*

CHAPTER XXXVIII.

AN ACT to change the times of holding the County Court of Knox County for the trial of Misdemeanors.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the next August Term of the County Court of Knox County, for the trial of misdemeanors, the said Court shall be regularly opened and held on the second Mondays of April, August and December of each year, and succeeding days if necessary, instead of on the first Monday of said months, as heretofore; but the regular County Court for the transaction of County business, shall be held on the first Monday of each month as heretofore.

SEC. 2. *And be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

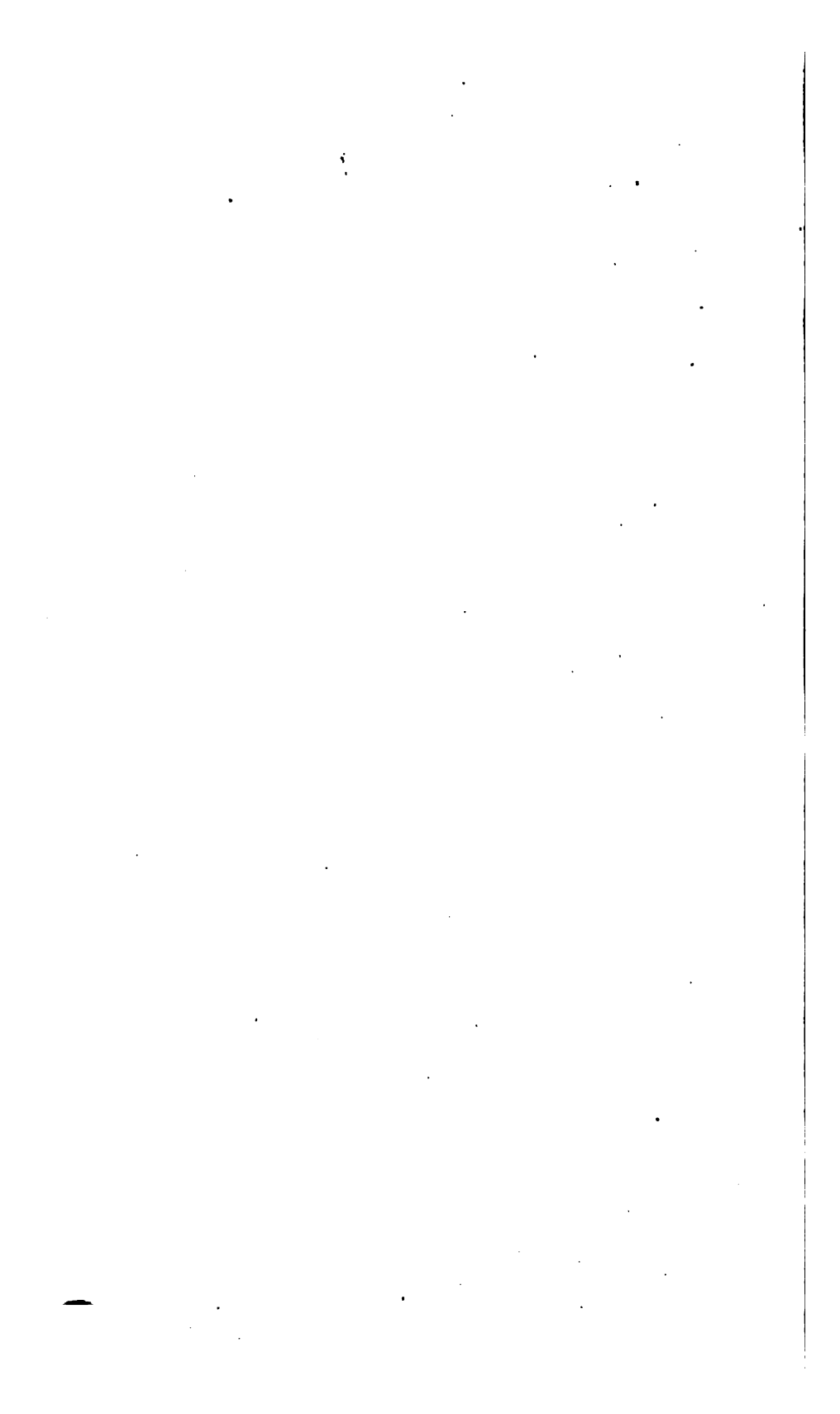
SAMUEL R. RODGERS,
Speaker of the Senate.

Passed May 16, 1865.

STATE OF TENNESSEE, OFFICE OF THE SECRETARY OF STATE, }
Nashville, July 25, 1865. }

I, ANDREW J. FLETCHER, Secretary of State of the State of Tennessee, hereby certify that I have carefully collated the foregoing documents, with authentic copies on file in my office, and find them correctly printed.

A. J. FLETCHER,
Secretary of State.



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